

## BB's poor performance as a regulatory authority

*Alleged links of its officials with NBFIs scams should be thoroughly investigated*

RECENTLY, the High Court heavily criticised the Bangladesh Bank for a section of its officials' alleged links with financial scams involving non-banking financial institutions (NBFI). In its observation, the court clearly mentioned how a section of BB's top officials remained silent about financial irregularities in the NBFIs, taking undue benefits from the scammers between 2002 and 2019. Unfortunately, after starting the process of liquidating the poorly performing NBFIs in June 2019, the BB could not yet recover the depositors' money from those who defaulted on loans from the People's Leasing and Financial Services Ltd (PLFSL).

The fact that a former deputy governor and a sitting executive director have had "alleged" links with the fraudsters at the NBFIs for a long time raises questions about the internal governance mechanism of the BB. How could these top officials ignore their responsibility of protecting the NBFIs and get involved with the fraudsters instead? Reportedly, they had links with the scammers of the NBFIs not for a year or two, but for 17 years. How did they escape the monitoring mechanism of the BB? The Bangladesh Bank, being the regulatory authority of all the banking and non-banking financial institutions of the country, must answer these questions. Its inefficiency in checking the financial anomalies in the NBFIs has led at least 10 of 36 NBFIs operating in the country to be in dire straits now.

We also question the role of the Anti-Corruption Commission (ACC) in this regard since it has not taken proper action against the wrongdoers in most cases, as the court also stated. What we do not understand is, if the court could reach its verdict based on the evidence in hand, why couldn't the ACC do so given that it has the authority to probe such cases and arrest those involved? Reportedly, while the ACC filed cases against some of the scammers, when it came to making the arrests, it could not make much progress.

Questions also need to be asked about the role our finance ministry has played all this time to handle these issues. Did the ministry give proper directives to the BB to check these massive irregularities (since there have been extensive media reports on these financial scams)? While we understand that Bangladesh Bank is the regulatory authority of these NBFIs, the finance ministry also cannot shrug off its responsibility in this regard.

We now want a thorough investigation into the alleged links of the BB officials with financial scams of the NBFIs. The reasons behind the BB's failure to stop the irregularities must be found out. We also urge the BB to take active measures to pay back the depositors their money. People's trust in the BB is already on the wane. It must gain back their trust by taking steps against its errant officials. As for the ACC, we think it also should be held accountable for not performing its duty properly. If the ACC fails to do its work and its officials get involved in corruption, there will be no hope left for the people to get justice for the wrongs committed against them.

## This time, it is the Meghna being attacked

*River banks continue to be filled up under govt's nose*

WE are dismayed that yet another story of encroachment of a river bank has come in the news. This time, it is Meghna River. According to a report published in this newspaper yesterday, state-owned Ashuganj Power Station Company Limited (APSC) has been found illegally filling up the bank of the Meghna in order to build their new unit near the Sohagpur village. Sand from the riverbed is being used to fill up the bank.

A local complainant brought the issue to the National River Conservation Commission (NRCC) and the Bangladesh Inland Water Transport Authority (BIWTA). It was alleged that not only will the filling-up of the bank disrupt the flow of the river, but it might also "cause the power transmission tower of the national power grid in Char Sonarampur and the Ashuganj river port to go into the river". We hardly need to elaborate how disastrous that would be.

This is not the first time that the APSC has attempted to grab local land. Before this, the company's authorities tried to acquire some 300 acres of agricultural land in the Sohagpur and Bahadurpur mouzas along the river and adjacent to the residential complex of the company's officials. Their efforts were halted due to the villagers' resistance, and the company then turned to filling up the Meghna river bank instead.

The filling-up process is said to be in its final stage, with about 8 acres of the bank already filled up. And all this occurred without the APSC ever seeking the permission of any of the concerned authorities, namely the Department of Environment (DoE), the BIWTA, or the Water Development Board. All three authorities have confirmed that the APSC did not seek their permission, making the state-owned company's activities illegal.

It is reprehensible that the APSC would engage in such illegal activities with such blatant audacity, knowing that it is a criminal offence. Why did the concerned authorities not stop it when the offence was happening? One cannot help but wonder how strong of a legal immunity companies such as this must enjoy for them to be able to set up a jetty and carry on with such an illegal act on the bank of one of the most prominent rivers of the country—that too when most rivers are already suffering from similar incidents, on top of being the dumping grounds for the country's waste.

While we are a bit relieved to know that the concerned authorities are looking into the matter, we also believe that it should not have taken a local's complaint for them to finally take notice of such a wrongdoing being carried out.

### STRATEGICALLY SPEAKING



BRIG GEN SHAHEDUL ANAM KHAN, NDC, PSC (RETD)

IT has been twelve years since the day 57 brilliant army officers were brutally killed by the BDR mutineers. Time cannot erase the hurt, neither can the killings be forgotten. As a modern poet has so aptly summed up, "Some pain has no relief, it can only be sealed. You can grasp the wound to feel the scar unhealed." To forgive may be divine but no ordinary mortal can rise to that level of divinity to forgive those that had brought such a gruesome fate upon their husbands, fathers and sons during the mutiny. The kindred ones of the dead will carry the pain till their last day.

With the legal process having run its course and a large number of mutineers tried, convicted and sentenced to various degrees of punishment, including the 139 whose death sentence has been upheld by the Appellate Division, and the 154 who were awarded life term, it is perhaps time to put a lid on the matter and go about with our business as usual, some may aver.

Well, not quite!

Handling of the mutiny has received mixed reactions. However, while it is easy to be wise after the event, I personally believe that there are many unanswered questions, and one needs to ask them if a closure on the manner of dealing with the mutiny is to be arrived at. I also believe it is necessary to delve further into the cause of the mutiny—i.e. grievances of the BDR soldiers—and to seek explanation for the omissions and commissions of the agencies involved in dealing with the mutiny and the mutineers.

Nothing can cause us to forget the brutal massacre, however. Just think, we lost 47 officers during the entire nine months of the Liberation War in 1971. Between February 25 and 26 in 2009, we lost 57 gems. Some of the family members of the officers were also subjected to disgrace and ignominy. The bestiality of the perpetrators defies description, as much as the inability to react appropriately resists rational explanation.

Admittedly, there is scope for splitting hairs on what could be an "appropriate" action under the circumstances, but the appropriateness of the strategy employed on the morning of February 25 and thereafter to tackle the mutiny—which

resulted in largescale mayhem and murder and loss of a total of 74 lives—cannot be passed without re-examination.

Some may well counter it by suggesting that any other action might have caused more collateral deaths. Well, that may have been true. But there is no way of knowing what would have been the outcome if any other course of action had been adopted, since none else was adopted. However, what is indisputable is that the strategy that was employed resulted in the loss of 57 officers and 17 others. There were many alternatives, and one is not talking of merely use of overwhelming force against the mutineers. I am afraid the unfortunate BDR officers and the country were let down by the incapacity of the planners to employ two most important principles of

Chief of Army Staff. Another shameful example of a commander's failure to stand by his officers and abandoning them to their fate.

We are compelled to revisit the matter for other reasons too. The mutiny staged by the so-called disgruntled BDR Javans was as unprecedented as were the consequences. It occurred just two weeks into a new government being elected to office.

I believe the questions surrounding the mutiny and massacre have not been adequately answered. And I strongly suggest that further investigation be launched not only into the causes of the mutiny in order to identify the masterminds behind it, but also to determine the shortcomings and lacunae in dealing with the mutiny. It is essential



Members of the former Bangladesh Rifles (BDR) are summoned for a hearing before a special court in Dhaka, on July 12, 2010. FILE PHOTO: REUTERS/HUMAN RIGHTS WATCH

war—speed and surprise.

When an objective is achieved with such a high casualty, then questions naturally arise about what the objective of the planners was. The only objective—when it became very apparent that several officers had already been killed—should have been to save the rest at any cost. In my view, every other consideration should have been subordinated to this. Thus, one wonders if negotiation was the best strategy at that point in time. But these commanders survived the mutiny without a scratch on their leadership credentials. The only heads to roll in the aftermath of the mutiny were that of a few budding young officers who had the gumption to offer their opinions as they saw fit. And they did so only after being invited by the

to know how and where the intelligence agencies failed (or if they indeed failed at all). The purpose of any investigation is not only to hold people accountable; it is done to ensure that by rectifying the mistakes at every level of responsibility, such incidents are not repeated.

The report of the government enquiry committee has not been released in full. But whatever has been made public raises a few questions. First, the real planners have not been identified. Second, the reasons cited in the enquiry committee report are too glib to be believed. My experience of command does not allow me to accept the contention that soldiers would collectively resort to such extreme actions just because their grievances were not met. The said report, I would like to

## The Native Refugees



MUHAMMAD A. BASHED

BANGLADESH has unique experiences with the term "refugee". Over ten million Bengalis were evicted from their land by the Pakistani army and had to take shelter on Indian soil in 1971. Now, Bangladesh is host to the biggest refugee camp in the world. There are 27 refugee camps in the Ukhia and Teknaf upazilas of Cox's Bazar district where 1.1 million Rohingyas now live, after having fled a genocide committed by the Myanmar army in the Rakhine State. The generosity so far shown by the Bangladesh people in hosting these refugees is a testament to the fact that in a given situation, the people of this land can acknowledge the abject living conditions, economic hardship, social and political helplessness and the acute existential crisis associated with the life of a community who have nowhere else to go.

So it is normal to expect that the same people will empathise with a minority community who have been living in fear of extinction and do whatever it takes to protect them. Unfortunately, this seems not to be the case when it comes to the many indigenous communities in our country that are being systematically marginalised.

A report published by this daily on February 15, 2021 shows how majoritarianism can gradually push out indigenous communities from lands where they have lived for generations. According to the report, the number of the indigenous Rakhine people in Teknaf is shrinking due to threats from influential locals and criminals belonging to the Rohingya community. Now the Rakhine community has to live in makeshift houses made of plastic sheets with no proper toilet facilities. They do not even have access to safe drinking water.

While talking to *The Daily Star*, Maung Thunla Rakhine, general secretary of the Cox's Bazar unit of Bangladesh Indigenous Forum, said, quoting from "Rakhinadorsho" authored by late Mongsing Ching, that there used to be a total of 113 Rakhine *paras* (neighbourhoods) in Cox's Bazar consisting of 11,641 families. But the number of these localities has come down to only 23, while the number of families has decreased to 2,558. Just 20 years ago, the population of the Rakhine community in Cox's Bazar was around

70,000 but now, it has dropped to only 30,000.

Why? Professor Robayet Ferdous of the Mass Communication and Journalism department of Dhaka University claimed that most of the Rakhine people have left the country due to insecurity. He also cited allegations of attacks on their homes, business outlets and places of worship as well as rape by members of the Bengali majority.

Proper recognition of ethnic minorities is vital to ensure their rights and wellbeing. This is why the United Nations has declared August 9 as the International Day for the World's Indigenous People. Bangladesh is a signatory to the UN's Sustainable Development Goals (SDG) treaty, the core message of which is "Leave no one behind". As a result, Bangladesh is duty-bound to ensure the inclusion of ethnic minorities to fulfil its SDG targets and also to meet its constitutional

Though our constitution guarantees equal rights to all people irrespective of race, caste, creed and religion, it does not recognise non-Bengali ethnic minorities as distinct cultural groups. The charter recognises Bangladesh as an ethnically and culturally homogenous nation of Bengali people only. Unfortunately, there is a powerful anti-indigenous nexus of ruling elite, bureaucrats, political parties and ultra-nationalists that continuously puts up barriers against the recognition, development and empowerment of the indigenous peoples. Political leaders and government officials often claim that there are "no indigenous peoples", citing disputed historical references that say that there were no such groups in this land before the 17th century.

Land grabbing by social and political elites has been going on for decades. Perhaps the most recent example is the planned five-star hotel in the Chimbuk



Proper recognition of ethnic minorities is vital to ensure their rights and wellbeing. STAR PHOTO

obligations.

Unfortunately, the term "Indigenous" is not even recognised by our constitution. The one million people who belong to the 45 or so indigenous communities and speak 26 languages are often termed as "Ethnic Minorities" or "Tribal People". This tendency can be traced back to the post-liberation war period when Bengali nationalism predominated all discourses of national identity. Thus, in the original constitution of 1972, the new nation had accepted religious pluralism but neglected ethnic and cultural diversity. The rights of the indigenous peoples were entirely forgotten in the charter.

Hill area of Bandarban by Sikder Group, which is set to wipe out six villages of the Mro community. The project is going to acquire 405 hectares of land, level down hills, clear forests and disrupt natural water resources. The hotel is being built under a 35-year lease contract and profit-sharing agreement between the Army Welfare Trust and Sikder Group's sister concern R&R Holdings limited. The construction of the hotel is also in violation of the CHT Regulation 1900, the Bandarban Hill District Council Act 1989 and the CHT Land Dispute Resolution Commission Act 2001.

Article 10 of the United Nations Declaration on the Rights of Indigenous

add, reflects some of the analysis that I had done in a series of articles following the massacre—that the BDR soldiers' grievances were exploited by a third party to perpetrate the massacre.

In fact, the committee itself has recommended further probe. Let me quote the relevant portion here: "The real cause and motive behind the barbaric incident could not be established beyond doubt. The committee feels that further investigation is required to unearth the real cause behind the incident. The negative attitude among the general BDR members towards the army officers, and their discontent over unfulfilled demands, may be identified as the primary cause of the mutiny... such small demands cannot be the main cause of such a heinous incident. These points have been used to influence the general BDR soldiers. The main conspirators may have used these causes to instigate this incident, they themselves working from behind curtains to destabilise the nation." Shouldn't the recommendations be followed up?

We would also like to know who organised the processions that were brought out around the Pikhana area in support of the mutineers on February 25 and 26, which were attended by some residents of Azimpur, Hazaribagh and New Market areas in support of the BDR men.

The said probe body report also reveals that several mutineers had tried to contact some political leaders to garner support. It would help to know who these political leaders were, and more importantly, whether these political leaders had informed the intelligence agencies or their own leaders of the potential upheaval. Many such small but significant questions remain unanswered. The findings of the said inquiry body cannot be left to meet the same fate as do the recommendations of other committees. It is too important to be treated in a similar manner.

The many unanswered questions should be answered if we as a nation want to truly put the tragedy of February 25 behind us. No amount of monetary help can be adequate recompense for the families of the victims. We must follow up on the recommendations of the probe committee and identify the masterminds and see them punished. Only then can the souls of the dead officers rest in peace. Only then will the aching heart of the nation find some solace.

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*The unique ways of life, cultures, traditions and heritage of the ethnic groups are extremely valuable to Bangladesh's history and its multicultural identity.*

Peoples says that "Indigenous people shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return". Article 14 of the Indigenous and Tribal People's Convention, 1989 by the International Labor Organization states that "Governments shall take steps as necessary to identify the lands which are traditionally occupied by the concerned people, and to guarantee effective protection of their rights of ownership and possession". But it seems all these warnings and precautions are falling on deaf ears, as the continued marginalisation of the indigenous communities would suggest.

The unique ways of life, cultures, traditions and heritage of the ethnic groups are extremely valuable to Bangladesh's history and its multicultural identity. We are the successors to those people who in 1971 had to leave behind their land and belongings to face the immense uncertainty, fear and feeling of powerlessness that comes with living as refugees. As a nation that had to sacrifice the lives of three million people to gain the right to live on their own land with dignity and liberty, we must learn to acknowledge the plight of the indigenous communities that are now facing the same consequences that had once befallen us. Doing this is our duty if we truly want to build a fair, just and inclusive society.

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