

**BANGLADESH UPDATE**



**1,871**  
New cases in 24hrs



**15,30,413**  
Total cases



**26,931**  
Deaths



**14,78,821**  
Recoveries

**GLOBAL UPDATE**



**4,642,348**  
Deaths



**225,367,642**  
Total cases

## BOXED MEDICAL EQUIPMENT

# Probe why they're not being used

HC orders ministry

STAFF CORRESPONDENT

The High Court yesterday ordered the health ministry to conduct an inquiry into allegations that 28 emergency medical equipment have been kept in boxes for years.

The court also asked the authorities to submit the probe report in 60 days.

The HC issued a rule asking the authorities concerned of the 16 hospitals, where the boxes are kept, to explain in four weeks why their negligence to this effect should not be declared illegal.

The bench of Justice M Enayetur Rahim and Justice Md Mostafizur Rahman came up with the order and rule following a writ petition filed by Supreme Court lawyer Manoj Kumar Bhowmick seeking necessary directives.

The lawyer submitted the petition as public interest litigation to the HC

recently, based on a report published by Bangla daily Prothom Alo on August 24 this year.

In the report, the Bangla daily mentioned that 28 emergency machines remain unopened in boxes at 16 hospitals, some remaining in crates for the last 17 years.

The equipment includes X-ray machines, ultrasonogram (USG) and ECG machines and ventilators.

Some of those have already become dysfunctional as they remained idle for long while some are on the verge of ruin, the report said.

The authorities of most of the hospitals said lack of manpower was the main reason for keeping the machines still packed, while in some cases the machines could not be installed because of lack of technical assistance from the health department.



**Children meet their classmates and friends in person as schools reopened across the country after nearly a year and a half. In most city schools, strict health guidelines were maintained. Some students in rural Tangail did not have their trips to school easy, as many areas in the district are still flood affected. At least 80 percent students of 15,000 secondary schools showed up yesterday.**



PHOTO: STAR

## Maleque claims success in tackling Covid

STAFF CORRESPONDENT

Bangladesh has achieved success in containing coronavirus when many other countries, including India, the UK and US, have failed to do so, Health Minister Zahid Maleque claimed yesterday.

He came up with the remark as the country logged a higher number of new cases, deaths and positivity rate than the previous day.

"There was no death due to shortage of oxygen in our country, but India went through this," the health minister said while addressing as the chief guest of an orientation programme for the newly recruited junior consultants (anesthesiologists) in the capital.

He said the number of Covid-19 infection has been falling in Bangladesh. "But if health guidelines are not followed properly, infection could surge again any time," he said.

As the situation has improved, educational institutions reopened, the minister said, adding that Bangladesh's financial condition has also got better significantly.

The minister said there was a lack of anesthesiologists so new consultants were being appointed. More anesthesiologists will be recruited in future to tackle the crisis, he said.

He added that there will be no

vaccine shortage in Bangladesh as 1.5 crore vaccine shots will be delivered this month.

At the programme, Prof Abul Bashar Mohammad Khurshid Alam, director general of the health directorate, said 409 anesthesiologists have been appointed in the country at one go.

### POSITIVITY RATE RISES

The Directorate General of Health Services (DGHS) reported 51 deaths from Covid-19 in past 24 hours till 8:00am yesterday, up from the previous day's 48.

The country also recorded 1,871 fresh coronavirus cases yesterday. The figure was 1,327 the previous day.

Against yesterday's 25,074 tests, the positivity rate was 7.46 percent. The previous day, it was 7.03 percent against 18,869 tests.

With the latest count, the total number of deaths reached 26,931, which is 1.76 percent of all confirmed cases so far.

Meantime, the number of confirmed cases rose to 15,30,413. Of yesterday's deceased, 22 were men and 29 women.

After the second wave of Covid-19 broke out in the second week of March in the country, the virus transmission peaked during July. From the beginning of August, it continued to decline, according to the DGHS data.

## Kids' joy brings schools to life

FROM PAGE 1

clothes and socks while attending classes and asked authorities to be relaxed about school uniforms as many students may have outgrown them.

It is also possible to collect tuition fees in instalments from guardians who are facing financial constraints, she added.

While visiting Azimpur Government Girls' School and College, the education minister asked authorities to suspend the institution's principal Hasibur Rahman and Directorate of Secondary and Higher Education official Selina Hossain as a classroom was dirty, said a top education ministry official.

Several The Daily Star correspondents visited at least 17 educational institutions in the capital and scores more in other districts and found that most institutions were clean and followed the Covid-19 health guidelines while holding in-person classes.

SSC candidate Shapna Akter, of Mirpur Government High School, reached the school gate with her bag and waited in a queue to go through temperature check. While in line, she maintained three feet distance from her peers, and once the temperature check was done, sanitised her hands before entering classroom. Once inside, she sat alone on a bench. Similar scenes were found in other schools.

Yesterday, almost all students were elated to return to schools, Nafisa Tasnim -- an SSC candidate of this year of -- said they lost motivation towards lessons due to the prolonged closure.

"As we are now returning to school, getting in touch with friends and getting suggestions from teachers, our motivation is also returning," she said.

In Tangail, Annita Orin, an SSC candidate, said for the sake of education, schools should in no way be closed.

While visiting schools, correspondents of this newspaper found that health guidelines were followed properly at Holy Cross College, Udayan Uchha Madhyamik Bidyalaya, Mirpur Government High School, Mirpur Girls' Ideal Laboratory Institute, Willes Little Flower School and College, University Laboratory School and College, Senpara Government Primary School and others.

The correspondents of different district also reported that almost all schools in their respective areas were following health guidelines.

Abul Hossain, headmaster of MR Foundation School of Kolaroa in Sathkhira, and Parimal Kumar Roy Chowdhury, headmaster of Khulna Government Girls' High School, said almost all of their students came to school wearing masks and classes took place following health guidelines.

But the scenario at Uposahor Government Primary School in Mirpur area was a little different. Many students haphazardly ran towards the classroom as soon as the school gate opened. Many were seen without masks.

Head teacher of the school, Md Nasiruddin, said they have distributed masks to all who came to school without masks. "We ensured that all students washed their hands before

entering classes," he said.

In Pabna, several students were came to Alia Madrasa Primary School without masks and school authorities gave them masks, said headmaster Fahmida Begum.

Students of eight institutions damaged due to cyclones Amphan and Yaas, including Koyra Dapoco and Paikgacha upazila, attended classes in adjoining schools, Khulna District Primary Education Officer ASM Sirajuddoha said.

The authorities of Udayan Uchha Madhyamik Bidyalaya, Mirpur Government High School, Mirpur Girls' Ideal Laboratory Institute, Willes Little Flower School and College and others welcomed their students with roses, chocolates, pens and pencils and decorated their campus with festoons, balloon and motifs.

At Mirpur Government High School, all female teachers were dressed in red and green saris to greet the students, while most of the female teachers of Viqarunnisa were dressed in red.

Sohana Shaon, a teacher of the Mirpur high school, said, "Students are returning to school after so many days and to me, it feels like a festival. So, we decided to dress up for the occasion."

Students' attendance at schools were lower than that of pre-Covid times. About 81 percent SSC candidates of 2021 and 70 percent of class-V students attended schools in the morning shift at Mirpur Government High School, while 80 percent HSC, SSC and class-V students attended schools at Mirpur

Girls' Ideal Laboratory Institute, according to teachers.

In Munshiganj town, around 40 percent SSC examinees of KK Government Institute attended class while in Pabna Alia Madrasa Primary School 50 percent class-V students attended.

Following a significant fall in the Covid-19 daily positivity rate, the government decided to resume in-person classes at schools in phases.

According to the decision, candidates of Higher Secondary Certificate, Secondary School Certificate exams of 2021 and 2022 and this year's Primary Education Completion Examination (PECE) and its equivalent exams would attend classes every day as soon as reopening of schools and colleges take place.

Students of classes I to IV and VI to IX will have in-person classes once a week. Students of pre-primary sections like play group and nursery will not have to return to classrooms right now.

Educational institutions were closed across the country on March 17 last year to curb the spread of Covid-19. The closure led to cancellation of classes and examinations including last years HSC, JSC and PECE.

Directorate of Secondary and Higher Education (DSHE) Director (Administration) Professor Shahedul Khabir Chowdhury said last night that about 80 percent students of 15,000 secondary schools attended classes yesterday.

There are about 20,000 secondary schools and colleges under the DSHE.

## PM gives Tk 15cr to healthcare

Decides not to spend the money meant for cars for PMO

UNB, DHAKA

Prime Minister Sheikh Hasina has diverted Tk 15 crore, allocated for the procurement of vehicles for her office, to the cause of people's healthcare services.

"An amount of Tk 15 crore was allocated for the procurement of motor vehicles for the Prime Minister's Office in 2021-2022 fiscal year. But the money has been diverted to the cause of people's healthcare services at the directive of the prime minister," said PM's Press Secretary Ihsanul Karim.

He said the prime minister is giving utmost importance to public healthcare amid the Covid-19 situation. So, she cancelled the allocation of vehicle procurement and directed the authorities concerned to spend the money on public healthcare, he added.

In order to ensure the healthcare services for people during the pandemic time, the PM has taken many steps, including recruitment of doctors and health workers, enhancing health infrastructure and equipment facilities, increasing ICUs, increasing hospital capacity, providing incentives for health workers and providing free Covid-19 vaccines to people, Karim said.

Hasina has made a special allocation for the public health services. "In addition to those regular arrangements, many more people will be benefited as the money allocated for PMO vehicle procurement would be spent on the healthcare service," he said.

Mohd Ahsan Kibria Siddiqui, director general (administration) of PMO, yesterday sent a letter to the authorities concerned to execute the PM's directive.

## Keep environment

FROM PAGE 1

for people so that no one is left out of it, no matter what the cost is.

She requested all to maintain health guidelines even after taking vaccines.

Hasina, however, admitted that the development pace in the country has suffered a setback due to the pandemic.

Briefly describing the farsighted development plans of the government, the prime minister said the government has taken the Delta Plan 2100 so that the development pace could continue generation after

generation.

"There must not someone come who will again put Bangladesh under the chains of slavery again," she said.

Prime Minister's Power and Energy advisor Dr Tawfiq-e-Elahi Chowdhury, State Minister for Power, Energy and Mineral Resources Nasrul Hamid, Power Secretary M Habibur Rahman also spoke at the programme.

A video on the development of the power sector of the country was screened on the programme.

The prime minister also unveiled a book titled "100" on the occasion.

## Door ajar for misuse

FROM PAGE 1

existing laws of the land.

In other words, someone being prosecuted under any law will not have the right to data protection, meaning the spectre of the contentious Digital Security Act (DSA) -- where digital data is the main evidence used -- would continue to loom large.

The DSA has been routinely abused to target journalists and muzzle online dissent.

The law is being drafted for data protection, privacy and to control social media, said Mustafa Jabbar, minister of post and telecommunication.

"I want this law," he said.

The Director General of the Digital Security Agency will be investigating violations, levying fines and ensuring overall compliance -- and will be exempted from prosecution along with employees of the Data Protection Office for violations to be considered as "done in good faith".

"If the DG or Data Protection Office is indemnified against any such prosecution, it contradicts the constitution, which guarantees the fundamental right of equality before the law. This provision cannot be expected in a democratic society," Talukder said.

As per the proposed act, it will be mandatory for private and public organisations to appoint or designate individuals as data controllers and data protection officers.

The data protection officer is a person appointed by the data controller to make sure that the relevant data protection laws are being followed.

A data controller is defined as the person responsible for collecting or processing (or supervising the processing) of personal data.

For the government, this could be a law enforcement officer; for a non-governmental organisation, it could be the person in charge of supervising beneficiary data or even an IT department.

The DG will have the power to intervene and give mandatory directions to all data controllers and data processors.

The draft contains a provision

that will enable the government to officially publish gazettes exempting certain data controllers, or "class of data controllers" from having to follow any provision of the law. "With this section, it is completely exempting government agencies, or state forces who are functioning as data controllers," said Talukder.

This coupled with the fact that the DG is indemnified from facing prosecution for such directions takes away checks and balances from the perspective of administrative law and might also hamper institutional autonomy, he said.

"The government's law enforcement mechanisms never hesitated to weaponise such laws before," said Faheem Hussain, a tech policy specialist and an associate professor at Arizona State University, who chairs the school's Global Technology and Development post-graduate programme.

The law gives the citizen the right to know about what kind of data is being collected about them, and whether any data profile is being created, but it exempts cases in which "processing is necessary for functions of the government".

In another section, the draft law says personal data can only be processed in compliance with the law, but will not be applicable "for compliance with any legal obligation to which the data controller is the subject."

Another touchy feature of the draft law -- which is present in the GDPR -- is that foreign organisations with a branch, agency or even a single piece of equipment in Bangladesh will have to comply and fall under the jurisdiction of the DG.

The personal data of Bangladeshi citizens must stay in the country. The draft says citizens must be notified via written notice about any cross-border transfer of personal data being carried out and that the data controller cannot transfer any personal data to a place outside Bangladesh unless the government gives permission.

This means development partners, foreign NGOs and international human rights organisations as well as foreign

banks like Standard Chartered and HSBC will have to localise data within the Bangladesh territory.

This might be problematic, according to Talukder.

"This might also be problematic if the government requires the development partners, NGOs, and international human rights organisations to localise data within Bangladeshi territory. Compliance with other regional and international personal data protection principles will be an issue then," said Talukder.

Last month, Zunaid Ahmed Palak, state minister for information and communication technology, told The Daily Star that the law is being formulated to ensure that data of the people of Bangladesh stay within the country and that all foreign organisations must comply with it.

"Or else, they will not be allowed to operate in Bangladesh," he said.

While such an uncompromising stance can work for the EU, it can backfire for Bangladesh -- a country in dire need of foreign direct investment and receives a rather modest sum every year.

In 2020, Bangladesh received about \$2.6 billion in FDI, down 10.8 percent year-on-year, according to data from the Bangladesh Bank.

Cross-border transfer of data that serve the "strategic interests" of the country however are exempt from this, which begs the question what constitutes as strategic interest.

For a draft that defined in detail terms such as "medical purpose" or "healthcare professional", there are no definitions given for "strategic interest", "national security", or "public interest".

Contacted, Tarique Barkatullah, director of National Data Centre at Bangladesh Computer Council and one of the authors of the law, said the draft is not final yet.

"We have submitted four drafts so far, and each time they came back with recommendations as the government is vetting the law will very carefully."

Once the draft bill is finalised, it will be put up for public debate and then changed further.

The provisions for foreign entities might not stay in the final version of the law because the government does not want to impact the FDI flow in any way, he said.

"This provision has been rejected by the higher levels. We do not have the leverage required to make foreign companies comply with this. It is crucial for the country to attract foreign investment."

Quizzed about the exemptions left for government agencies and whether they will remain in the final draft, he said he was unsure.

"We have observed over 130 laws from across the world, and they all have similar provisions for law enforcement agencies," he added.

## Prof Yunus, 3 others sued in labour court

COURT CORRESPONDENT

Nobel Laureate Prof Muhammad Yunus, also chairman of Grameen Telecom, and its three other top officials have been sued on charges of violating labour laws.

The three other accused are Grameen Telecom Managing Director Ashrafur Hasan, and two directors Nur Jahan Begum and Mohammad Shahjahan.

SM Arifuzzaman, a labour inspector (General) of the Inspection for Factories and Establishments Department, on September 9 filed the case with the Third Labour Court of Dhaka, Mia Md Jamal Uddin, bench assistant of the court, told The Daily Star.

Accepting the case, Judge Sheikh Merina Sultana asked Prof Yunus, Ashrafur, Nur Jahan and Shahjahan to appear before the court on October 12, he said.

According to the case documents, officials of the Inspection for Factories and Establishments Department on August 16 inspected the office of Grameen Telecom in capital's Mirpur and found some violations of labour laws.