

Confusion does not beget confidence

Authorities must make farsighted interventions to curb Omicron spread

WITH the Omicron variant of the coronavirus threatening to spread uncontrollably in the coming weeks, we are concerned at the lacklustre implementation of the new Covid-19 curbs that took effect on January 13, 2022 across Bangladesh. There already appears to be confusion regarding the directive given to the transport sector to run buses at half capacity. Reportedly, the Dhaka Road Transport Owners' Association instructed its members to operate their vehicles at full capacity, violating the government directive on the very first day of the curbs. When asked, the association representatives claimed that the ministry concerned had given them "verbal" permission to do so—a statement that has not been confirmed by the ministry yet.

We cannot help but wonder: Why the confusion and contradiction in the government's instructions? On what basis did they make the decision in the first place? We had warned the government against taking measures that were impractical to begin with. With offices, factories and shopping malls all remaining open, it is unclear how operating public transport at half capacity would have helped the public.

This is not the first time that the government has given an instruction only to change it a day later. Often, they have retracted their decision in response to different pressure groups, the foremost among whom have been transport owners. Since the beginning of the pandemic, we have observed the authorities floundering when they should have made timely, practical and farsighted interventions. It is of urgent importance that the government takes judicious decisions in the coming days, if we are to expect the public to take these directives seriously. Confusion does not beget confidence or compliance.

Meanwhile, according to our reports, other restrictions are also not being followed. A majority of restaurants are not complying with the directive to deny service to customers without vaccination cards, while many customers seemed clueless about how to acquire such a card. The mandatory mask use is being violated. It is apparent at this point that arbitrary drives alone will not help. We need mass awareness programmes, along with strict enforcement of the restrictions, if we are to curb the spread of the virus. Both the authorities and the public need to understand the importance of abiding by the restrictions, if we are to avoid loss of lives as well as another lockdown that will inevitably harm the economy and people's livelihoods.

Balloons turn into a nightmare

Strict quality control and regular monitoring of gas cylinders a must-do

THE report of a gas cylinder explosion in Cumilla resulting in the injury of 35 children is distressing, to say the least. We are further troubled to learn that at least six children among them remain critically injured. It was in the district's Nangalkot upazila that the cylinder filled with helium gas was being used to inflate balloons, with about 40 children standing in close proximity. But the joy of watching balloons floating in the air soon turned into horror as the gas cylinder exploded with a loud noise.

We are relieved that some of the injured children were rushed to the Cumilla Medical College Hospital, while others to Nangalkot Upazila Health Complex for receiving emergency medical treatment. According to hospital sources, all the children are aged between 8 and 18 years. It is good to know that the Mokara Union Parishad chairman visited the hospital and promised to bear the cost of treatment of the children.

Primary reports state that the balloons were meant to be sold at a fair being organised at a nearby village. But the local administration confirmed that no permission had been granted by them to organise a fair amid the ongoing Covid-19 pandemic, considering health hazards. We believe proper investigation would reveal who the organisers were and how they could violate government order.

Explosion of gas cylinders has become a common phenomenon in Bangladesh. In most cases in the past, such explosions have taken lives of either the men handling the cylinders or some persons including children standing nearby. Fire originating from exploding cylinders damaged many homes as well.

Investigations revealed that faulty, overused or poorly manufactured cylinders usually cannot sustain the pressure of the gas inside and burst at the seams. Gas cylinders ought to be manufactured with high quality materials, and under the supervision of qualified engineers. These must go through strict quality control checks before going to the market. Proper maintenance instruction labels should also be fixed on them.

However, this needs to be said that we see low quality gas cylinders being bought and sold in the country by people who know very little about the safety standards. We hope that the government office entrusted with the responsibility of inspection will now carry out regular testing of the cylinders in the market to avoid such accidents in the future.

EDITORIAL

RTI can contribute to government accountability

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SHAMSUL BARI and RUHI NAZ

EFFORTS to limit the ruler's authority over the ruled is as old as human history. It is a subject that has occupied the minds of social thinkers and philosophers of all major civilisations since ancient times. Modern parliaments are the outcome of the search for a balanced system of governance, whereby people pledge obeisance to the ruling authority in exchange for a social compact that ensures their protection and well-being. The concept of government's accountability to the people was born in the process. In parliamentary democracy, it forms the basis for peoples' trust in the government and the latter's answerability to the people. People choose their representatives to represent their interests in parliament and raise their concerns with the government on matters of governance. The purpose is to ensure that government activities are corruption-free, guided by law, and serve public good.

Over time, as the concept of peoples' sovereignty over the state became more concretised, the need for other measures of government accountability grew in tandem. It increased further with the rise of authoritarianism globally and attendant efforts to muzzle parliaments, often turning them into "rubber-stamp" bodies. The call for supplementary and alternative methods of accountability increased accordingly.

An important development in this regard was the resurrection of the Freedom of Information (FOI) Act, which was first introduced by Sweden in 1766, but remained largely limited to a few Western nations. It was only in the later part of the last century—more particularly, during the sudden spurt of democracy in the aftermath of the Soviet Union's dissolution—that a large number of countries adopted the FOI law, in various other names, including the Right to Information (RTI) Act. The law provided a platform for citizens to intervene directly with government bodies to promote transparency and accountability in their work.

While citizens are empowered directly by a judicious use of the RTI Act, members of parliament can use the law to advance the interests of their constituents, too. In fact, in many countries, parliamentarians or their staff often use the law to obtain information, normally undisclosed by the government, or to probe government

activities. It is resorted to more often when parliaments are in doldrums because of political difficulties. During such times, the RTI law provides an opportunity for all conscious citizens of the land, including lawmakers, to turn to the law to fill the gaps. It may be underscored that the RTI Act is available to all citizens of the land, irrespective of

inter alia, that the information requested was public information and did not relate to any individual's private information, and therefore it could not be considered exempt. In the meantime, several other citizens submitted the same RTI request to the bank.

On receipt of the appeal and being faced with additional requests of the same



ILLUSTRATION: COLLECTED

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their vocation.

Let us end with a real-world example to illustrate the type of issues susceptible to such interventions.

A resident of an upazila in Dinajpur district submitted an RTI request to the local branch of a large bank late last year, asking for the list of recipients who benefitted from a government stimulus package for farmers to help them overcome financial difficulties caused by the Covid-19 pandemic. Upon receiving the request, the bank authorities reportedly resorted to various scare tactics to force the applicant to withdraw his application, including by threatening him with criminal prosecution. The applicant apparently came to know that the stimulus fund had mostly been disbursed among businesspeople, and hence the bank authorities were not inclined to provide the list.

The applicant refused to give in to pressures and insisted on his rights, as provided in the RTI Act. As a result, the bank finally sent him a written response, claiming that the requested information could not be disclosed as it fell within the purview of the exemption clause under the RTI Act. The applicant then applied to the appeal authority of the bank, stating,

nature, the bank authorities organised a meeting with the applicant at the house of a prominent local businessman. There, they pleaded for a mutually acceptable solution. Unable to withstand their relentless pressures, the applicant felt compelled to give in, in exchange for a promise to stop all future lapses of this nature. Subsequently, the applicant received a response to his appeal, "On basis of your complaint and following discussion between the two sides, specific mistakes have been identified and the concerned sections of the bank have been directed not to repeat such mistakes in the future."

A basic objective of Bangladesh's RTI Act is to ensure that "corruption shall decrease." Assuaging the effects of the pandemic is an issue which has occupied the minds of many, including our parliament, since the beginning of the crisis. While this story shows the difficulties that citizens face in making use of the law, it also highlights the tremendous potential of the law to fight corruption in public work. Hopefully more citizens, including our sociopolitical elites, will join those who are daring to make use of the law to address important public issues.

Poll amid pandemic: Voting right vs human life



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PALLAB BHATTACHARYA

ON January 8, 2022, the Election Commission of India (ECI) announced the schedule of fresh assembly elections in five Indian states—Uttar Pradesh, Punjab, Goa, Manipur, and Uttarakhand—for the first major bout of polls in the New Year, amid the galloping cases of Covid-19 pandemic. The exponential rise in the daily cases of infections is a matter of serious concern to all, and one mathematical modelling done by the Indian Institute of Technology (IIT) in Kanpur suggests that the ongoing pandemic may peak in late January or first week of February, when daily cases could hit as high as 800,000—that is around the time when the entire polling exercise begins in Uttar Pradesh. In this situation, holding free and fair elections with maximum voter turnouts is a challenge for the Election Commission.

Concerns persist in some quarters about the wisdom behind holding assembly polls in the five states at a time when Covid cases are rising so rapidly across India. The share of these five states to India's overall pandemic caseload has risen of late. The Allahabad High Court in Uttar Pradesh recently requested the ECI to consider postponing the poll dates given the worsening Covid situation in the state. But, as former CEC SY Qureshi points out in a newspaper article, it is not within the commission's power to postpone the polls as the Indian Constitution does not empower the poll body to do so.

"Postponing elections is not in their hands at all and would be a violation of the constitutional mandate that gives

every Vidhan Sabha a fixed term. As soon as the term is over, the House stands dissolved automatically. The term of the House cannot be extended except in an emergency declared by parliament, which the constitution restricts to only two situations—war and breakdown of law and order," he writes. Qureshi also recalls that in the seven decades of India's electoral history, this has happened only thrice—



in Assam, Punjab, and Jammu and Kashmir—amid insurgency situations.

The ECI would be under the scanner for how it conducts the elections in the five states amid the pandemic. One cannot forget the savage criticism the ECI had faced last year, when it had conducted the assembly polls in the midst of the devastating second wave of Covid. In May last year, the Madras High Court told the ECI that "You should be put on murder charges probably," that "You are the most irresponsible over the last few months in not stopping political parties from wanton abuse of the Covid-19 protocol," and that "You are the only institution responsible for the situation that we are in today."

Incumbent CEC Sushil Chandra, while coming out with the timetable for the

coming polls on January 8, defended the decision to go ahead with the polls, asserting that holding the elections is the "essence of maintaining democratic governance."

The challenges for Chandra remain the same as those of his predecessor Sunil Arora: to ensure people's safety and that the pandemic situation is not exacerbated by the polls.

The ECI has outlined a slew of measures keeping in mind the pandemic and the involvement of more than 180 million voters in the forthcoming polls. It has broken some new ground. For the first time, it has barred physical rallies and roadshows till January 15, saying the rule would be reviewed after that since the "ground situation is dynamic," indicative of an incremental posture. Quraishi, however, questioned the rationale behind the move and the line drawn between rallies and public meetings.

The real test of the ECI's ability to hold the polls will be how it enforces its elaborate Covid-related guidelines by marshalling the administrations in the five states, and how much the latter cooperates. The biggest challenge for the efficiency and independence of the ECI is, of course, how it deals with the Covid guidelines violations—if any—by the political parties. There is a possibility that such issues could be politicised, but the ECI should not come under any pressure from any quarter in cracking down on health protocols, because they relate to an unprecedented public health emergency.

While the ECI actions to enforce Covid guidelines will be under close scrutiny, stricter monitoring will be called for political parties abiding by them, because it is the parties which were unanimous in conveying to the ECI that the polls be held on time despite the pandemic. The parties must help the ECI's bid to ensure that the electoral exercise does not turn into a Covid-19 super-spreader event—especially in rural areas, where the health infrastructure is creaky.