

## No Aynabaji in real life, please

### News of impersonators serving time for others raises alarm

As if we needed any more proof of corruption permeating every sector in our country, news has emerged about fake inmates in Chattogram serving time on behalf of other individuals in exchange for money. Many will remember the 2016 movie *Aynabaji* (Ayna's Shenanigans) where the eponymous character impersonates actual convicts to serve their sentences. That it's happening in real life is not a total surprise, but it does raise serious concerns about the integrity of our criminal justice system.

One example cited in our report is of Senuwara Begum of Cox's Bazar who, after surrendering to a court and being imprisoned in connection with a narcotics case, was found to be someone entirely different when her fingerprints were matched with the National ID (NID) server. She was actually Monira Begum of Teknaf serving Senuwara's time for financial gain. Another example cited by *Prothom Alo* details the story of Mojibur Rahman, a tea vendor from Chattogram's Chandgaon area, who was serving time on behalf of Nasir Ahmed, the actual convict. Mojibur, impersonating Nasir, surrendered before a court in a case over cheque fraud and was sent to prison, only to be exposed by the NID check after a short while.

Thus, between January and October this year, some 13 impersonators were reportedly identified through the newly installed fingerprint verification process at the central prison in Chattogram. All of them apparently accepted jail terms willingly, in exchange for amounts ranging from Tk 3,000 to Tk 15,000. Among the cases, there were five related to narcotics, three related to robberies, and two cases of cheque fraud. That anyone can engineer such a mix-up, and for such a small sum of money, is deeply troubling. It not only shows how vulnerable our prison and judicial systems are to exploitations—of which there have been evidently many—but also underscores the vulnerabilities of poverty making people do desperate things. When exposed, they are the ones left to deal with the aftermath.

Jail officials say these practices are being enabled by a group of dishonest lawyers. But court and jail authorities cannot shirk their responsibility either. They are primarily responsible for ensuring that the right individuals receive punishment. Chattogram serves as a caution for our entire prison system—which is already going through many problems thanks to lack of space, resources and internal discipline—and the authorities must use the occasion to overhaul it completely. The integrity of our criminal justice system must not be allowed to be compromised.

## Save Bakkhali River from encroachment

### How are grabbers getting away with frequent onslaughts?

It's alarming to learn that illegal structures have sprouted again on the banks of Bakkhali River in Cox's Bazar, mere months after an eviction initiative. On February 28 and March 1, around 200 structures, particularly around the much-coveted Kuruskul bridge, were demolished. Despite accusations that the drive targeted only two of 131 listed encroachers, and was mostly a publicity stunt, the authorities have failed to safeguard even those reclaimed riverine stretches, according to a report in this daily. This brazen display of defiance and incompetence underscores the continued threat to the river's ecological integrity.

The Bakkhali River, originating from the mountainous terrain of Naikhongchhari upazila in Bandarban and falling into the Maheshkhali channel in Cox's Bazar, is one of the major rivers traversing through the Bandarban and Cox's Bazar region. However, over the decades, it has been ravaged by a relentless onslaught of encroachment. Many structures—from makeshift docks, cold storages and fishing stations to fish and dried fish farms, truck stops, sand sales points, and residences—were constructed by destroying even vast areas of artificial coastal forests. There were also disturbing reports of forests being deliberately set ablaze to clear land for illegal construction. In 2013, even the local municipality joined in by dumping garbage along the riverbanks, further impeding the natural flow of the river.

In 2020, the Bangladesh Inland Water Transport Authority (BIWTA) identified 131 individuals and organisations as river occupiers, many of whom evaded legal action. They didn't even have to relinquish their encroached land. Additionally, in a 1990 survey, a number of people were somehow enlisted as private owners of what is clearly riverland, an issue that remains unresolved to this day. In 2016, the High Court ordered the district administration to hand over 270 acres of land to the BIWTA for conservation; this order has yet to be implemented, with allegations of money influencing the situation.

It is hard to believe that the blatant encroachment of the Bakkhali River is happening under the nose of the district administration and the National River Conservation Commission. The rapid re-emergence of encroachment on previously evicted lands suggests either a glaring failure of monitoring and enforcement, or an intentional disregard for the law. We strongly urge the authorities to investigate the matter thoroughly and take immediate action to reclaim Bakkhali River land from the encroachers.

## LETTERS TO THE EDITOR

letters@thedailystar.net

### Beware of electric wires

When venturing out on roads in almost any part of the country, one can see the dangling electric wires as well as internet and cable TV wires. From these wires, potentially dangerous accidents can occur, including fire incidents. While we all need to remain vigilant and cautious about the hanging electric wires, the government should also take steps to remove all these risky overhead wires.

**Md Abdul Wohab**  
Department of Arabic, Dhaka University

# Towards a 'free and fair' election, indeed



#### THE THIRD VIEW

**Mahfuz Anam**  
is the editor and publisher  
of The Daily Star.

MAHFUZ ANAM

When we, the voters, should have been looking around for suitable candidates to vote for and punish the previous ones who have let us down, we are instead passing our days in suspense and worry, and enduring each night in fear of plainclothes policemen (or their impersonators) barging into our homes and making us "disappear" because a friend or a relative at some point joined an opposition procession somewhere. And due to the opposition, we are being forced to either close down our offices, businesses, shops, factories, and schools, or operate them at the risk of being attacked at any time. We demand in the strongest of terms that our political leaders, from both sides, desist from their present politics and end our living in this unnerving state.

One after another, megaprojects—the Bangabandhu Tunnel, Terminal 3 of the Dhaka airport, the Padma Bridge Railway Link, the MRT Line-6, the Dhaka Elevated Expressway—are being inaugurated, making us extremely proud of our government's achievements. But before these accomplishments can sink into our minds, we are being traumatised by the political unrest which both the government and the opposition are responsible for; the former significantly more as it has taken no initiative to settle pre-existing issues before the latter took to the streets with its movement and consequent violence. This overwhelming sense of not knowing what's next is sapping us of the energy and hope that is crucially necessary to push the country forward.

Every day, experts, business leaders, bankers and thought leaders are warning us of our economy's fragile state. Consumers are being battered by high inflation, which touched 9.93 percent (point-to-point) in October, and with food inflation hitting a 12-year high at 12.54 percent. Exports earnings are dipping low, as are the value of taka and our foreign currency reserve.

Why are our leaders being irresponsible and turning a deaf ear to these dire predictions?

Our prime minister has repeated *ad nauseam* her determination to hold a free and fair election. But do her and her party's recent actions show that such is their aim? Is calling the opposition a "terrorist organisation" and its leaders all sorts of names, as well as using the most threatening language while referring to them, create an environment for a decent election?



The specific case of Mirza Fakhrul Islam Alamgir shows how laws are being used to punish politicians.

According to our report on November 8, family members, drivers, assistants, and elderly relatives of any concealed person that police are looking for are also being arrested. Such actions cannot take place unless there is a total disregard for the law. Forget the fundamental legal tenet that one is innocent until proven guilty; the present practice is to punish *anybody*—children, spouses, elderly relatives, extended family members, friends, and paid assistants—in order to force the person the police are seeking to come out of hiding. This is a travesty of justice of the highest order.

According to BNP, 8,951 of its leaders and activists have been arrested across the country since October 28, 2023. According to Dhaka Metropolitan police (DMP), 1,636 BNP leaders and activists have been arrested and 112 cases have been filed against them in the 10 days after the same date. The figure is much higher when arrests made on the whole are considered.

Then there is the question of how BNP leaders are treated once in jail. Since they are all arrested under specific charges—unlawful assembly, deterring police duty, damage to property, blasting explosives, and vandalism—they are treated like

common criminals and not as political prisoners entitled to better treatment. Mirza Abbas, a very senior BNP leader and a former minister, claimed in court that he was forced to sleep on the floor of his cell along with all sorts of criminals.

According to *Prothom Alo*, the total number of prisoners in the country's 68 jails was around 77,000, based on

days even before a word can be uttered about his fundamental rights. This is as clear a lesson as any for all who may contemplate joining any of the opposition rallies in the future.

Is it conceivable that we could have a free and fair election under these circumstances? With such government oppression and all-out efforts to destroy the biggest

a statement made in parliament by the home minister on September 22. However, as of November 7, there were 88,000 prisoners, making for twice the number that our prisons can hold. This sudden rise is mostly due to the imprisonment of BNP activists after their October 28 gathering. According to the rules, each prisoner is entitled to a six-feet-by-six-feet space as a basic right. Even this the jail authorities are currently unable to provide.

The specific case of Mirza Fakhrul Islam Alamgir, the secretary general of BNP (a very senior and highly respected politician), shows how laws are being used to punish politicians. He is 75 years old and suffers from many ailments, including cardiac issues. He was arrested on the morning of October 29 for the unlikely allegation of "attacking the residence of the chief justice." He moved for bail on November 2, and the learned judge fixed the date of hearing for November 20. Two things need to be pointed out here. Firstly, is it believable that a man of his stature would attack the house of the chief justice? Wouldn't that have attracted the attention of the respected judge? Secondly, by fixing the hearing date 18 days later, it was ensured that Fakhrul would serve a jail term of 18

opposition party, what hope can there be of any election, let alone a free and fair one? Whatever distance already existed between the two political rivals, it has now been burdened further by a profound sense of anger, indignity, injustice, maltreatment and outright demonisation, destroying any chance—if there ever was any in the first place—of political rapprochement.

In the name of holding free and fair elections, the government has unleashed a policy of totally crushing BNP into smithereens. It has also initiated the discredited policy of creating factions and luring away some disgruntled elements to form a rival group, which will presumably toe the government's line.

So, what is going on is election engineering, not preparation for a free and fair election. A lot of money is at play, and the police and legal system are being used. The net result is that, instead of the public selecting our leaders through the exercise of their franchise, a set of preselected leaders will be forced upon us via all sorts of chicanery and manipulation. This would have been called a charade in any other country. But for us, this is how we fulfil our pledge to "uphold democracy at any cost."

#### EC MEETING WITH POLITICAL PARTIES

## Dialogue or mere formality?



**Ali Imam Majumder**  
is a former cabinet secretary of  
Bangladesh.

ALI IMAM MAJUMDER

On November 4, the Election Commission (EC) invited 43 registered political parties for a dialogue. Given the sheer number of parties, the meeting was held in two phases. However, even so, how practical or efficient was it to attempt dialogue with 20 political parties at once?

Moreover, after BNP's October 28 rally, most of its senior leaders have either been in jail or gone into hiding. Even the mid-level leaders were unavailable due to being arrested or having cases filed against them. How sensible was it to try to hold a dialogue with the party at a time like this? It is clear that the EC is not interested in ensuring the proper participation of BNP, given that the invitation to the dialogue was delivered to the party's locked-up Nayapaltan office. If the EC was indeed interested in bringing BNP to the meeting and the election, the letter could have been sent to the jail so that it could have been produced before the court to avail a short-term

bail for BNP leader/s so they could participate in the meeting. But no such effort was noticeable.

Besides, among the parties which did participate in the talks, only the Awami League was a key player in terms of its public support and organisational capabilities. Many of the participating parties also expressed dissatisfaction with the meeting. Many issues went unaddressed, such as whether the parties would be able to place their agents at the polling centres or if influential people might remove agents, and whether the influential groups would be kept in check or not.

It seems that the dialogue exchange was merely a structural formality. At the beginning of this EC's tenure, it seemed that it was trying to move on from the ghosts of previous election scandals. Experts were invited to sit with the commission a few times to discuss various issues and the best ways to address them. However, none of our suggestions were turned into

effective actions.

When one is getting onto the playing field, they need a referee. It is necessary to ensure that the person conducting the game is unbiased. For this, the referee also needs to have enough power and authority to be able to conduct the game fairly. If they are powerless, then their unbiasedness will not be of use to anyone. Our EC lacks certain capabilities, which reduces the confidence of those participating in any election. The players—the political parties, in this case—don't come onto the field as they don't have faith in the referee. Only those who are benefitting from restricting the EC's capacity will participate.

BNP and its allies have been demanding and protesting for a free and fair election for more than a year at this point. The rallies and demonstrations that they have held during this period, although legal as per the constitution, were met with myriad hurdles, such as restrictions on movement, vehicle entries, and on holding rallies in certain areas.

And while it is a given that the ruling party will also hold their own rallies and demonstrations ahead of the election, for them to conduct theirs the same days (and even in nearby areas) as the opposition's is simply unreasonable. This poses issues for the general population and makes the playing field unequal for other parties.

Back when we were in charge of

these, we would take into consideration who had announced a rally or meeting first. We would then shut down the one that was announced later. This meant that the events of the day were easier to control for the police, and there was a slimmer chance of violence erupting. But no such initiative has been taken in recent months.

For the parties who are not in power right now, I believe the way forward would be to proceed with peace. They should follow the laws and rules. I agree that the situation is not in their favour. As for the main opposition on the streets, their senior leadership is behind bars. Meanwhile, if there is an invitation from the government to an unconditional dialogue, then they should participate in that. But this invitation must also be logical and acceptable.

Though normalised in Bangladesh's political culture, strikes and blockades are not good for the economy or for the general public, and should therefore be avoided. Legal efforts should be made to free those who have been put in jail over the last few weeks. It is hoped that the ongoing difficult situation won't last, and that there will be opportunities for dialogue. Hopefully, the opposition parties will be able to organise again and protest peacefully on the field.

**As told to Monorom Polok of The Daily Star.**