

Caretaker government assignment



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The next general election should be held under a non-partisan caretaker government, whatever the format might be, to make it fair and credible, some eminent citizens said at a roundtable yesterday. It is not possible to hold a fair election keeping the incumbent parliament active as required by provisions added through the latest constitutional amendment, said former election commissioner M Astrakhan Hosing. He also suggested revising the Election Commission rules, saying there were many loopholes in them.

Talking about Miami League and BAN, he said, According to my observations and casting of votes, 67 percent of the total voters purport the two parties. The remaining 33 percent voters are flexible. The roundtable titled present socio-economic-political crisis: Way forward was organized by Niagara Kooky, a platform of citizens, at Satiny Press Club. The speakers stressed the need for a civic alliance comprising civil society members and progressive politicians to act as a pressure group to overcome the current socio-economic-political crises and maintain healthy politics.

Presenting the keynote paper, eminent law expert Dry Sashayed Mali said, If the national election is held under a artisan government, it will not be acceptable and the government will not survive more than six months. The people's faith in the two major political parties has fallen to the lowest level. This faithlessness has created the ground for a new political party to emerge, he said. A law professor at Dacha university ASPI Unusual said, Given the present political circumstances, there is a demand for a third party in Bangladesh. If it can be formed, we will come up with intellectual support.

O Regarding speculations that Angina Kooky will participate In the next general polls ND announce candidates In 300 constituencies. The organization's convener Muhammad Raman Manna said, This is a platform of citizens. If qualified citizens want to contest the poll individually and we will support them from our organization. It will not be an offence. THOUSAND, Novo 1 5: Acting Secretary General of the main opposition BAN Mira Bashful Islam Laming recently said the government must restore the caretaker government system amending law, reports BBS. BAN won't participate in any election under partisan government, and the people will not accept such kind of lolls," he told Journalists In an unscheduled press briefing In front of Son's Thousand district office. Bashful said the movement of 18-party alliance led by BAN for realizing the demand for restoring caretaker government system is not halted, rather it is becoming tougher everyday. " The mass attachment with our movement for caretaker system is deepening day by day," he added.

Replying too question whether BAN will Join parliament, if the government urges them to discuss the caretaker government issue there, Bashful said " it's not an Issue to Join parliament, we have already cleared our stand. The next election must be held under caretaker Bashful termed BAN Chairperson Chalked Sis's ongoing India visit as a milestone towards the welfare of the people of Bangladesh. " The visit has opened a new era in the Bangladesh-India relations," he added. Bashful alleged that members of the ruling party are involved in the Destiny and Hallmark group scandals.

He said Chalked Aziza will declare fresh programmer for restoring caretaker government system on November 22. Noting that Bangladesh is a country of <https://assignbuster.com/caretaker-government-assignment/>

communal harmony, he said ' We have expressed our firm condemnation about the Ramp incident. Chalked Aziza Nil visit Ramp after her return from India. Ere caretaker Government of Bangladesh (Bengali: is a form of government system in which the country is ruled by a selected government for an interim period during transition from one government to another, after the completion of tenure of the former.

As the outgoing government hands over their power, the caretaker government comes into place. Members of the caretaker government do not belong to any political party; nor are they allowed to contest the elections. The main objective of the caretaker government is to create an environment in which an election can be held in a free and fair manner without any political influence of the outgoing government. It is not empowered to take any policy decisions unless it is necessary.

The head of the Caretaker government is called the Chief Adviser (in place of Prime Minister) and is selected by the President, and the Chief Adviser selects the other advisers. The administration is generally distributed between the advisers. The Chief Adviser and the other advisers are committed for their activities to the President. Initial reactions of the public were welcoming. 6] The arrests of corrupt prominent politicians led many to believe that a new political age was imminent.

However, no new major parties came into the scene, and now the work of the anti-corruption unit is coming undone as many of the politicians are being released from prison. This has also ended prospects for reform within the major parties since the old leaders have returned to their former

positions, and positively gotten rid of reformers. People who had opposed the government's prolonged stay have mostly been members of the two major parties. Members of the public in general understood the reasons and stickiest for the government's actions. The television media has reported events throughout the term in a mostly robotic manner.

There has been little questioning of the leaders who have been incriminated with an array of corruption charges, and "ho are now on the verge of returning to power. Almost all of the nation's television channels are owned by members from one of the two major parties. [7] [edit] Ere Supreme Court has declared illegal a 15-year-old constitutional provision that mandates an elected government to transfer power to an unelected non-partisan term. In the same verdict yesterday the highest court said the voided system may be practiced for another two parliamentary terms for the sake of "safety of the state and its people".

The court also asked the parliament to amend the constitution to make sure that former chief justices or any other Supreme Court judges are not chosen as heads of caretaker governments in case the system is kept for another two parliamentary elections. A seven-member SC panel, headed by Chief Justice BAM Karakul Haze, reached the verdict on majority vote. It thus also rejected a 2004 High Court ruling that upheld the 13th amendment to the constitution which provides for 10-member non-partisan caretaker government to take over following the dissolution of a parliament and resignation of an elected government on completion of its term.

A caretaker government runs the routine administration and assists the Election Commission in conducting the polls. The High Court ruled the system legal after a Supreme Court lawyer M Caligula challenged the 13th amendment in January 2000 in a writ petition saying the change distorts the principle that the republic will be governed by an elected government. After Guildhall's death, another Supreme Court lawyer Abdul Manna Khan filed an appeal in June 2005 against the High Court ruling in the Supreme Court.

In its brief verdict yesterday the Supreme Court said, " The Constitution (Thirteenth Amendment) Act, 1996 (Act 1 of 1996) is prospectively declared void and ultra vires the Constitution. " " The election to the Tenth and the Eleventh Parliament may be held under the provisions of the above mentioned Thirteenth Amendment," it said. " The parliament, however, in the meantime, is at liberty to bring necessary amendments excluding, the provisions of aging the former Chief Justices of Bangladesh or the Judges of the Appellate Division as the head of the Non-party Care-taker Government," the verdict added.

Introduced in 1996 through the 13th amendment to the constitution by a controversially elected parliament, the system of non-party caretaker government has seen the holding of three successful parliamentary elections in 1996, 2001, and 2008 that were considered free and fair by both local and foreign observers. The immediate past chief Justice is the first choice to become the head of a caretaker government with the formal title of chief adviser. Two former chief Justices, Justice Habitu?? Raman and Justice Latitude Raman served as chief advisers respectively in 1996 and 2001.

Backhanding Ained, a former governor of Bangladesh Bank, held the office to oversee the 2008 parliamentary voting after street protests, led by Miami League and its allies, forced then-president illiquid Ained to quit the post of the chief adviser. The caretaker system was also hailed as appropriate for Bangladesh. Bangladesh has a history of bitter political hostilities and mistrust. Miami League, led by then opposition leader Sheikh Hessian, pioneered the movement for introducing the on-partisan caretaker system. Her bitter rival Chalked Aziza, then the prime minister, Remotely opposed it.

This time the Supreme Court verdict has been welcomed by Miami League, the current ruling party. Opposition BAN said it will wait to give its reaction. The verdict triggered mixed response among lawyers with some calling it contradictory and Attorney General Maybe Lam hailing it. Maybe Lam said the verdict is “right in principle”. The next two parliamentary elections will be held under caretaker governments if the constitutional provisions are not amended, he unrest will take place in the country, he added.

Senior lawyers Barrister Rarefied-LU Hug and Chandler Maybug Hosing, president of the Supreme Court Bar Association, termed the SC verdict self contradictory, saying the SC declared the 13th amendment illegal, but suggested holding next two parliamentary elections under this law. Arrester M Emir-LU Islam said the parliament has to play a responsible role in finding an alternative to the caretaker government system. Barrister MI Froufrou, who stood for the petitioner, expressed satisfaction over the SC verdict, saying it is good for the action and the constitution.

Earlier, the SC heard for 10 days opinions and arguments from eight *mimic curiae* (friends of the court), and the counsels for both sides of the appeal. Of the *mimic curiae*, Dry Kamala Hosing, HTH Khan, Muhammad Islam, M Emir-LU Islam, and Regarding Muhammad gave opinions in favor of the caretaker government system. However, two Jurists Rarefied-LU Hug and Dry M Chair suggested alternatives to the system. *Animus curiae* Small Hosing and the appellant's counsels MI Froufrou and Mosses Rasher placed arguments against the caretaker government system.