

Govt faces SC wrath

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and former establishment secretary Safar Raj Hossain, former establishment secretary Anwarul Bar Chowdhury, former finance secretary Zakir Ahmed Khan and incumbent Finance Secretary Siddiqui Rahman. In response to the court's query about formulation of rules for separation of the judiciary, the attorney general said the rules will be formulated once the amendment to Code of Criminal Procedure (CrPC) is passed in parliament.

Expressing annoyance over the reply, the court said it wonders what should possibly be the relations between those rules and changes in CrPC. It emphasised that the government take urgent steps to formulate the rules in accordance with the court directives.

The attorney general told the court that the government has taken various steps to carry out the 12-point directive. 'Code of Criminal Procedure (amendment) Bill 2006' has already been approved by the cabinet and will soon be placed in parliament for passage, he added.

He submitted that it is not true that the government has done nothing regarding implementation of the SC directives. It has framed two rules in line with the SC judgement and waits to issue the others.

Mohammad Ali said, "We did not make any unnecessary delay...the government is working but at a slow pace."

Barrister Amir-Ul Islam submitted before the court that the government has violated the SC directives several times by appointing judges in the lower judiciary without consulting the country's highest court.

"The law minister has said that separation of the judiciary will take place by the year 2012. His statement proves that the coalition government has no intention of implementing the verdict," he said.

Saying that the court cannot afford to be oblivious to the situation, he asked for a contempt rule against the top officials of the government for non-implementation of the judgment in the judiciary-separation case.

Apart from the 10 government officials accused by Amir-Ul of contempt, the law ministry's Senior Assistant Secretary Mohammad Harunur Rashid and eight other bureaucrats who already face the contempt charge for distorting the SC

directives since November 2004, were present during the hearing yesterday. Dr Kamal Hossain, another intervenor of the judiciary-separation case, drew the court's attention to the government order for transferring Harunur Rashid as a joint district judge to the Dhaka District Court. He then called for the court to stay the transfer order.

He said it would not be wise to let him [Harunur] be appointed as a joint district judge as the court will come under controversy if he is found guilty of committing contempt of court.

Iran to unleash terror strikes if attacked

AFP, Washington

US intelligence experts believe Iran would respond to US military strikes on its nuclear sites by deploying its intelligence operatives and Hezbollah teams to carry out terrorist attacks worldwide. The Washington Post reported in its Sunday edition.

Citing unnamed experts, the newspaper said Iran would first mount attacks against US targets inside Iraq and then target civilians in the United States, Europe and elsewhere.

US officials would not discuss what evidence they have indicating Iran would undertake terrorist action, but the matter "is consuming a lot of time" throughout the US intelligence apparatus, the report quotes one senior official as saying.

Citing prohibitions against discussing classified information, US intelligence officials declined to say whether they have detected preparatory measures, such as increased surveillance, counter-surveillance or message traffic, on the part of Iran's foreign-based intelligence operatives, The Post said.

However, terrorism experts considered Iranian-backed or controlled groups -- its intelligence operatives, Revolutionary Guards and the Lebanon-based Hezbollah -- to be better organised, trained and equipped than the al-Qaeda network, the report pointed out.

JCD strike

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demonstration, and asked JCD's RU unit convener Nuruzzaman Likhon to withdraw the strike immediately in the greater interest of BNP government.

The JCD leaders then declared to withdraw the strike. Later, the mayor along with local BNP and RU JCD leaders met the VC at his office and discussed the JCD demands.

On March 31, JCD called the strike demanding removal of the VC and Proctor Enamul Haque for what they said failing to stop the police attack on JCD activists the previous day.

Many JCD workers expressed dissatisfaction over the withdrawal of the strike and the dominance of mayor over the activities of the JCD. They also threatened to launch a strike again on the campus if the arrested JCD leaders were not released.

Chief whip

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Mahfuz Anam, Jugantor, Salma Islam and Executive Editor of Janakantha Borhan Ahmed for running 'defamatory' news against him.

In his complaints, Delwar said the Prothom Alo published a news headlined "Chief whip took rice and pulses for his two residences from parliament" on March 13. The daily also published two reports on March 14 and 16 saying that only chief whip spent half of Tk 27 lakh entertainment allowances allotted for the last fiscal year, he added. The news was false and fabricated and it was published to tarnish his image in the society, the complainant said.

The Janakantha published a news on March 14 headlined "Now, after his two sons, there are allegations against chief whip for taking money and goods." The chief whip claimed the report was run only to sully his reputation in the society.

The Daily Aker Kagoj published a news on March 15 under the headline "In discussion between father and sons." That story tarnished his image in his political circle, he alleged. The Daily Jugantor ran another news on March 14 with the headline "Chief whip's direction to send rice and pulses to his residence creates a stir." That was also false, Delwar said.

The chief whip also trashed a Daily Sangbad news item on March 18 under the headline "Hot spices for the rotten parliament".

Advocates Saanullah Miah, Masud Ahmed Talukder and Gazi Towhidul Islam moved the cases on behalf of the complainant.

After the hearing, Metropolitan Magistrate Mizanur Rahman issued a bailable arrest warrant against editor and sub-editor of the Sangbad and issued summons on editors of the Prothom Alo, Jugantor and Janakantha.

In another case, Metropolitan Magistrate Syed Mohammad Mujibul Haque issued summons on the editor and reporter concerned of the Aker Kagoj. The defendants in the cases are Prothom Alo Editor Matiar Rahman, its Publisher Mahfuz Anam, Prothom Alo's Staff Reporter Ashish Saikat and Columnist Hafiz Uddin Khan, Janakantha Editor, Printer and Publisher Mohammad Atiq Ullah Khan Masud, its Executive Editor Borhan Ahmed and an unidentified reporter.

The defendants in three other cases are Aker Kagoj Editor Kazi Shahed Ahmed and an unidentified Aker Kagoj reporter, Jugantor Editor Abed Khan, its Publisher Salma Islam and an unidentified Jugantor reporter, Sangbad Editor Bazur Rahman and its Sub-editor AZM Abdul Ali.

PM asks DCs

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PM in response said she will think about it. It was learnt that the DCs were supplied with a chart of Titas' unrealised bills in different districts, which together amounts to about Tk 2000 crore.

The DCs also discussed issues like increasing the number of police stations, policemen, and police camps.

They spoke very highly of Rapid Action Battalion and thanked the PM for it. The PM also discussed the ongoing fertiliser crisis candidly. The DCs informed her that the government's timely step has helped in getting over the fertiliser crisis.

Cabinet Secretary ASM Abdul Halim told journalists that power crisis was not discussed in the meeting. In the previous DC conference, 59 decisions had been taken and among them 39 were implemented, Halim said. He however could not say how many new decisions were taken in yesterday's meeting.

The PM asked the DCs to complete the development works within the tenure of the present government.

AL MP, 35 others

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at the same place and time. JCD cadres kept the school ground occupied from early morning yesterday.

As local AL lawmaker Mahbuur Rahman reached the area at noon, JCD cadres attacked him and the accompanying BCL leaders.

Thirty-five people including Mahbuur Rahman, several local leaders of both the parties, and two

OMS of sugar

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carrying out their duties properly, ministry sources said.

The OMS will also be expanded to all the divisional headquarters. "Sugar price is going up everywhere and we are worried about it," Barkat Ullah Bulu, adviser to the commerce ministry, told newsmen after a meeting at the ministry.

The government will take stern actions against those who are involved in hoarding, the adviser warned adding, if necessary Rapid Action Battalion (Rab) might also be deployed to prevent market manipulation.

Bulu said engaging ward commissioners in OMS operation does not mean that it will be politicised. "Whether the commissioners represent Awami League, BNP or Jatiya Party will not be considered."

Commerce Minister Altaf Hossain Choudhury, Md Barkat Ullah Bulu and other commerce ministry officials yesterday held several meetings with dealers and importers to find ways to stabilise the market.

Blaming rising price of sugar on the international market and a scarcity of supply for the volatility in the domestic market, the adviser to the commerce ministry said sugar

price on the global market has gone up to over US\$ 520 per metric ton from less than \$180 a few months ago.

The ministry will convene an inter-ministerial meeting shortly to decide whether tax on sugar import will be cut to ease the market, which now stands at 73 per cent, he said.

Bulu said the country has become almost totally dependent on imported sugar as local production has come down to only 1.25 lakh metric tons against an annual demand of 12.5 lakh metric tons.

The government has already ordered to import 25,000 metric tons of sugar and is going to invite bids again to buy another 15,000 metric tons, he said.

Sale of sugar through the dealers of Bangladesh Sugar and Food Industries Corporation (BSFIC) will be stopped as there are also allegations that the dealers are selling it at much higher rates on wholesale markets than the government's fixed price.

The factory rate of sugar per kilogram is Tk 35 and the dealers are supposed to make Tk 1 profit per kilogram after all necessary expenditures.

BGMEA launches

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Sources in the BGMEA said a total of 21 additional staff members have been appointed on temporary basis to assist the existing BGMEA workforce in successfully conducting the entire programme.

A total of 10 fire-safety teams have been formed to work in Dhaka, Savar, Gazipur and Narayanganj while two others will work in Chittagong.

Under the programme, mock firefighting operations along with evacuation is being practiced at the factories.

The Association earlier issued a circular asking all the member-factories to depute one representative from the management and another from the workers to assist the safety teams.

When contacted, BGMEA Vice-president (finance) Shahadat Hossain Chowdhury Arun told UNB the objective of the programme is to inform the workers that fire needs time to spread and the workers have enough time to make their exit from a scene if they do not scramble.

"Practical lessons are being given by setting up mock fires and asking the workers to get out of the factory in a disciplined manner," Arun said.

"Stampede caused by panic is the main reason behind the deaths, rather than the fire itself," he said, adding that the owners concerned would also be imparted training

simultaneously.

The BGMEA executive said they have already appointed a retired principal of the fire-service academy and some other retired Fire Brigade personnel to strengthen the safety teams.

He informed the special programme would continue in a full swing for next three months. "We may extend the time for another three months if we fail to cover all the factories during the stipulated timeframe," he added.

In 2001, BGMEA took out similar fire drills that brought a positive result for the industry. No death in fire or stampede in the industrial units occurred the following two years.

Meanwhile, 10 monitoring teams, each led by a BGMEA director, will continue to work parallel with the safety teams to ensure fire safety and deal with other compliance issues.

The monitoring teams have so far inspected 150 factories, shooting video footages of the non-compliant factories.

Particularly pressured by international buyers following the KTS garment inferno that left 55 workers dead, the BGMEA formed the 10 monitoring teams to shoot video footages of the non-compliant garment factories across the country to take punitive actions.

Jamaat issue

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opposition's response in a couple of days.

Sources said the opposition camp would ask the ruling BNP to disclose the names of the government representatives on its proposed 10-member discussion committee on the reform agenda.

The 14-party combine would want to know who the government negotiators are as it yesterday arrived at a consensus to shun the dialogue if any Jamaat man is on the discussion committee. The decision was based on the opposition's allegation that the ruling coalition partner Jamaat is connected with Islamist militancy and liberation war crimes.

It is crystal clear that Jamaat patronised militancy in the country and supported them financially, politically and administratively, a number of 14-party leaders told The Daily Star last night. It is proven that a Jamaat-linked bank helped the militants, they said, adding Jamaat men were also involved in war crimes in 1971.

"If the government does not exclude Jamaat from the committee, the dialogue will face a deadlock," 11-party coordinator Dilip Barua told The Daily Star.

On the other side, after the Jamaat issue has come to the fore, the BNP is now also considering the option of sitting with the AL alone to discuss the reforms.

Jatiya Samajtantrik Dal (JSD), National Awami Party (NAP) and left-leaning 11-party alliance have already authorised the main opposition AL to discuss the reform issues with the BNP on their behalf.

Sources in the AL said they would sit with the BNP if it creates the 'right environment for the dialogue.

"I hope the BNP will stick to its earlier position as it stated in its first letter regarding the discussion," AL Presidium Member Suranjit Sengupta told The Daily Star yesterday. He posed the question why the BNP is now attempting to include its allies in the committee, knowing that one of the major demands of the opposition camp is to ban 'religion-based politics'.

Most of the AL's allies are suggesting that a seven- or nine-member team should represent their alliance in the dialogue in stead of the five-member team proposed by the BNP secretary general.

Some sources also said the 7-member drafting committee formed yesterday might represent the opposition school. However, they said another leader might replace Jaiji if BNP Secretary General Abdul Mannan Bhuiyan does not appear in the government side.

According to insiders, the BNP is also mulling expanding the number of

50 injured

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of clashes that continued till 2:30pm. Among the injured JCD activists Ramjan, Nirmal, Aslam, Monir, Kabir, Mikail, Firoj, Shamim, Shajahan, ICS activists Rafiqul, Rubel, Jani, BCL activists Akhter, Amit and Biplabi Chhatra Moitri activist Dwip were rushed to Jessore General Hospital for treatment.

Jalal Uddin, principal of the college, told the journalists the clashes took place as the student organisations were trying to establish their supremacy on the campus.

Rejoinder

FROM PAGE 1
Thakurgaon is Tk 12.23/kwh.

"Rental power can only be compared with the simple cycle IPPs, not with the combined cycle IPPs. In our opinion, offered rates of rental power is much cheaper than the power purchased from simple cycle gas based IPPs."

OUR REPLY
The rejoinder only tried to justify power rental from skid-mount plants and did not contradict the fact that the PDB is going to incur colossal loss. The rejoinder claimed this scheme as an "emergency" measure, but it did not explain how the costly rental from skid-mount plants for a term of "15 years" can be an emergency measure.

The whole argument of comparing skid-mount plants with simple cycle IPPs falls flat on the premise of this 15 years' rental. Within 15 years, Bangladesh can have many combined cycle plants and generate much cheaper electricity. It does not need to pay high tariff from skid-mount plants for more than a year, because an "emergency situation" should not extend beyond a year.

The rejoinder also did not explain how this "severe power crisis" came to exist and who are responsible for this situation.

Ghorashal unit-3

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to complete the rehabilitation of some generation units within the stipulated time, but the PDB failed to complete the job.

With the breakdown of unit-3 at the Ghorashal plant yesterday, a total of four generation units at different power stations went out of order in last four days.

Earlier, the Khulna 110 MW unit, Tongi 80 MW and 125 MW unit-2 of Barapukuria plant were shut down due to technical faults.

7-day agitation

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the country as the government failed to retain foreign assistance in this sector.

The failures to ensure timely supply of water and urea fertiliser have already caused loss of 25 per cent of the expected crop, they pointed out.

During the visits, the team saw how the power pumps become idle due to persistent failure of electricity supply in the rural areas.

The farmers in the two districts told the team that electricity was available for only two hours a day.

The team members also found potato farmers in Rangpur lost 35 to 50 per cent of the crop due to the attack of 'late blight'.

The team comprising presidium members of Jatiya Oikya Mancha advocate Zahurul Islam, S M Altaf, Mostafa Mohsin Montu, Organising Secretary advocate Zaglul Haider, and Bikalpathara Joint Secretary Feroz Hasan held meetings with farmers and local union parishad leaders at different places in the two districts.

CEC's 2 office

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for hearing. The same bench yesterday granted the time petition when Zainul Abedin, counsel for the CEC, sought a week more for filing an affidavit presenting CEC MA Aziz's reply to the High Court rule.

Earlier on March 21, Abdul Wadud Bhuiyan, counsel for Justice MA Aziz, sought one-week time for making the affidavit on the rule.

The matter was item number 58 on the cause-list of March 28 and was not heard. On March 29, Zainul Abedin successfully petitioned for an extension of the time limit for two days.

A High Court bench comprising Justice Shah Abu Nayeem Mominur Rahman and Justice Mainul Islam Chowdhury on June 18 last year issued the rule upon MA Aziz and the government to show cause why Aziz's holding the offices of an Appellate Division judge and the CEC, both constitutional posts, should not be declared illegal.

Three Supreme Court lawyers--Ruhul Qudus Babu, Abdul Mannan Khan and Nazneen Nahar Dipu--filed the writ petition as public interest litigation.

The petitioners submitted that by taking oath of office as the CEC on May 23, 2005, Justice Aziz violated the oath he had sworn as a Supreme Court judge.

road crash kills 8

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Most of the passengers of the bus were from Faridpur town.

A large number of local people rushed to the spot after the accident and rescued the injured people. They set fire to the bus.

Junk for money

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business lobby, with help from a section of unscrupulous PDB officials, are killing time to end the guarantee period through various means.

The plant is currently undergoing a two-year guarantee period -- meaning, Harbin is subject to penalty if it is found to be responsible for the plant's faults. "Its operation and maintenance has become impossible due to Harbin's non-compliance with the contract and its non-cooperation with PDB," quipped a source.

The source explained how PDB ended up having a junk for a power plant. "During the pre-reward negotiation, Harbin agreed to supply two GBCs with capacity of 39,700 Nncube (a kind of gas unit) each, manufactured by Man Turbo or GE of Germany or USA or France. But soon afterwards, during the pre-contract negotiation, the company made PDB agree to accept GBCs from 'any internationally reputed organisation'."

In reality Harbin supplied two Chinese-made GBCs of 36,000 Nncube capacity each. Meanwhile the company took a seven-member PDB inspection team to China from October 22-November 1, 2003 led by the then Member (Generation) Dr MAK Azad. The team approved the low capacity GBC machines and submitted its report to PDB on November 8, 2003.

But the PDB Board in its meeting on November 29, 2004 opined that the sub-standard GBCs should have been rejected and the inspection team should not have taken such a lenient position with the defaulting company Harbin. The board in a further meeting on March 21, 2005 expressed its dissatisfaction with the inspection committee for submitting an incomplete and unprofessional report on the low quality Chinese-made GBCs without even conducting performance tests on those.

Interestingly the leader of the inspection team, Dr MAK Azad, refrained from signing the report and a local consultant, Engineer Kazi Kamaluddin Ahmed of the consulting firm ECBL signed the report along with other members of the team, which endorsed acceptance of the faulty machines.

On investigation, PDB's board discovered that in violation of the agreement reached during pre-contract negotiations, Harbin managed to omit any mention of specific capacity of the GBCs in the contract document signed between PDB and Harbin and rather stated, "Each gas handling unit shall have guaranteed capacity which matches or exceeds the gas turbine need under all load operating conditions at the site."

A PDB committee completed performance tests on the GBCs on May 10, 2005 and revealed that the lower powered GBCs supplied in violation of the contract cannot ensure necessary supply of gas as required by the site condition and mode of operation of the Tongi Plant. The GBCs have been responsible for the frequent tripping of the plant. The committee held Harbin responsible for not supplying the GBCs as per contract and recommended that necessary action be taken against it for violation of contractual obligations.

Then on June 6, the PDB Board decided to ask Harbin to replace the GBCs with better and higher quality

ones as stipulated in the contract and also served show cause notices to the members of PDB's inspection team.

"But till this day, PDB took no action against the inspection committee that went to China and approved Harbin's inferior quality GBCs. Rather one of the members of the committee, Naimul Hossain, deputy director of Design-1, continues to be part of the Technical Evaluation Committee for power plant projects including the Fenchuganj 90 MW and Chandpur 150 MW plants, the contracts for both of which have been awarded to Harbin," it said a competent source.

It takes four hours to start the Tongi GBCs. Of the two GBCs, if one trips, the other does not start automatically as it should. It takes about two hours for the second one to get started.

It is the normal practice for any engineering procurement commissioning (EPC) contractor to supply spares for GBCs free of cost, but Harbin made a separate list of spares for the GBCs and is additionally charging PDB for those.

"Harbin cheated PDB of about Taka 20 crore through not supplying the GBCs of 39,700 Nncube capacity as agreed earlier," the source added.

The Tongi plant's project director in a letter on August 9, 2005 to Harbin communicated a 'list of defects/ deficiencies/ lapses' of the project work and sought a written commitment from Harbin for rectification of the said lapses before any Provisional Acceptance Certificate could be issued by PDB.

On PDB's list there are more than 25 such deficiencies. In reply, Harbin committed to undertake the said repairs through its letter dated August 24, 2005. On the same day, PDB issued Harbin the provisional acceptance certificate. Ever since, Harbin has done little to address the problems for which the plant keeps on tripping.

Among other lapses, Harbin supplied only one set of 115 volt battery instead of two sets of 220 volt batteries. A lathe machine has been installed but till this day it has not been made operational while Harbin has taken the payment for it without testing its operational performance. Poor quality of air filters is also a contributing factor to frequent tripping of the plant.

Auxiliary materials supplied by Harbin are also of poor quality. The auxiliary parts are malfunctioning for unknown reasons and despite repeated requests from PDB, Harbin is not cooperating in identifying the causes for such malfunctioning as per requirements of the warranty clause.

Even recently, through a letter dated March 6, 2006 the project director requested Harbin to submit a report explaining the causes of frequent tripping. The project director in another letter dated March 8, 2006 asked Harbin to make the plant operative. All these communications from PDB continues to go unheeded by Harbin.

Two US pilots die

FROM PAGE 16
secret of doubts about Jaafari's ability to unite and lead Iraq.

In Baqouba, 58km northeast of Baghdad, unidentified gunmen planted explosives around the small Guba Shia mosque and blew it up, police said. No casualties were reported. Three stores selling music CDs were also bombed.

A prominent Sunni lawmaker in Baghdad, meanwhile, reported that his brother disappeared last week in a possible kidnapping. Saleh al-Mutlaq said his brother, Taha, went missing while driving north out of Baghdad to Salahuddin province. Al-Mutlaq is the head of the Iraqi Front for National Dialogue party, to which his brother also belongs.

"We haven't heard any solid information about who could have been behind this operation," said al-Mutlaq, whose brother belongs to his political party. "I think this may be a political issue that has to do with my political activities."

The bodies found in Baghdad were all handcuffed and had been shot in the head or chest, said police Maj. Fahal al-Mohammedawi. They apparently were victims of revenge killings between Sunni and Shia Muslims.

Also Sunday, six insurgents died while manufacturing a homemade bomb inside a house in Madain, about 14 miles southeast of Baghdad, police said.

Two American soldiers were killed by a roadside bomb while on patrol in central Baghdad late Saturday, the US military said.

Earlier Sunday the military said two other troops had died, a soldier near the oil-rich city of Kirkuk and a marine in the restive western province of Anbar.

The marine, assigned to the second brigade combat team stationed in Anbar province's turbulent capital, died from wounds sustained during combat on Friday.

The soldier, from the 101st Airborne Division, died from "non-battle related injuries" received in the course of an operation near Kirkuk on Thursday.

Elsewhere, the US military also said joint US-Iraqi troops killed four insurgents and wounded another Saturday after two failed attacks near Balad, 80km north of Baghdad.

Prime Minister Ibrahim al-Jaafari faced more pressure to step aside as the Shia bloc's nominee for a second term. Talks among Shia, Sunni and Kurdish leaders have stalled, in part because of opposition to al-Jaafari's nomination by the Shia bloc.

Shia legislator Jalal Eddin al-Sagheer was the latest to call for al-Jaafari to withdraw his nomination,

saying the prime minister no longer had the acceptance of Iraqi parties and the international community.

"There is no other way out of the government formation problem," said Al-Sagheer, a member of the United Iraqi Alliance and of the Supreme Council for the Islamic Revolution in Iraq.

Further delays could "lead to more bloodshed," he added. On Saturday, Qasim Dawoud was the first Shia politician to join Sunnis and Kurds in publicly calling for a new Shia nominee. Shias politicians get first crack at the prime minister's job because they are the largest bloc in parliament.

US officials believe formation of a government of national unity would be a major step toward calming the insurgency and restoring order three years after the US-led invasion toppled Saddam Hussein. That would enable the US and its coalition partners to begin withdrawing troops.

Thailand votes

FROM PAGE 16
calling for a close examination of the vote to rule out fraud. "We have to make sure the elections are fair no fraud, no irregularities."

Chaivan Chaiporn, a prominent political science professor at Chulalongkorn University, made a show of ripping up his ballot card at a central Bangkok polling station, as other voters erupted in applause. He was promptly arrested but released on bail. The act is punishable by one year in prison, a \$500 fine and a five-year revocation of voting rights.

The anti-Thaksin movement adopted the slogan "Vote for No Vote," and urged people to wear black on election day as a protest symbol.

Protesters say they will keep up the battle to force him out of office regardless of the results of the poll.

The movement against Thaksin gained mass support in January when the prime minister's family announced it had sold its controlling stake in telecommunications