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ADMIN OFFICIALS' JUDICIAL POWER

# 11 years on, petition still pending

ASHUTOSH SARKAR

The High Court is yet to dispose of an 11-year-old writ petition that challenged the legality of empowering administrative officials to perform judicial functions.

Since the petition was filed in November 2009, arguments on the public interest issue took place once before an HC bench in 2015. But the disposal of the case has been delayed due to change of hearing jurisdiction of its judges concerned, according to the petitioner's lawyer.

The legal debate ensued after parliament passed the CrPC (Amendment) Act, 2009, on April 7, 2009, incorporating the rules that allowed the government to empower executive magistrates to take cognisance of offences. The government issued a gazette notification on the act on April 8.

Human Rights and Peace for Bangladesh filed the petition on November 12, 2009, seeking a directive from the HC upon the government to cancel the amended Criminal Procedure Code (CrPC) rules.

The petition stated that as per sections 145 and 147 of the amended CrPC, the executive magistrate decides issues of possession, grants ad-interim injunction, appoints receiver, restores possessions and grants permanent injunction until the cases are settled by the courts of the judicial magistrate -- which are judicial powers.

In response to the petition, the HC bench of Justice Syed Refaat Ahmed and Justice Moyeenul Islam Chowdhury on

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Dirty water from a canal in a WASA-owned water refinery area overflowing onto the Dhaka-Narayanganj road. This has been going on regularly there for the past two months. The photo was taken recently.

PHOTO: RASHED SHUMON

# Wading through sewage

Part of Pagla-N'ganj road submerged for two weeks

SANAD SAHA, Narayanganj

Commuters have been enduring sufferings for around two weeks as a portion of the Dhaka-Pagla-Narayanganj road is submerged in filthy water.

Officials of the Roads and Highways Department (RHD) said they knew nothing about this situation.

Locals say the cause of the waterlogging seems to be a poor sewerage system in the area.

While visiting Dhaka's Shyampur area on Tuesday, this correspondent smelt unpleasant odours coming from the waterlogged road. People were seen passing the area covering their noses and mouths with their hands.

As the part of the road has been damaged by clogged water, vehicles are finding it difficult to pass through.

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# Scientist killed in 'complex' ops

Says Iran's top security official, blames Israel, exiled opposition group

AFP, Tehran

Iran said Israel and an exiled opposition group used new and "complex" methods to assassinate its leading nuclear scientist, as it buried him yesterday in a funeral befitting a top "martyr".



As it laid Mohsen Fakhri-zadeh -- seen by Israel as the "father" of Iran's nuclear weapons programme -- to rest, the Islamic republic also vowed to redouble his work. Fakhri-zadeh died Friday after his car and bodyguards were targeted in a bomb and gun attack on a major road outside the capital, heightening tensions once more between Tehran and its foes.

Iran's top security official, Rear-Admiral Ali Shamkhani of the Supreme National Security Council, said the "operation was very complex, using electronic equipment and no one was present at the scene".

The People's Mujahedeen of Iran (MEK) were "certainly" involved, along with "the Zionist regime and the Mossad", he said, referring to the Israeli government and its spy agency.

Shamkhani's comments came in video interviews broadcast by state television and the Fars news agency.

Without citing sources, Fars itself reported the attack had been carried out

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## FIRST YEAR OF BANGLADESH BANGABANDHU'S NATION-BUILDING CHALLENGES

### Indira's message to Bangabandhu

December 1, 1972

SHAMSUDDOZA SAJEN



#### INDIA-BANGLADESH FRIENDSHIP WILL GROW: INDIRA

Indian Prime Minister Indira Gandhi has expressed the hope that the friendship and cooperation existing between Bangladesh and her country would grow and become an example of good neighbourly relations for the world at large. Replying to the message sent by Bangladesh Prime Minister Bangabandhu Sheikh Mujibur Rahman on the occasion of her birthday, Indira Gandhi commended the wide and farsighted leadership of Bangabandhu and said Bangladesh would overcome the problems of reconstruction and go forward with confidence to the achievement of the wider goal of establishing a democratic, socialist and secular society under his leadership.

#### BANGABANDHU ARRIVES AT DUBLA

Bangabandhu, who left Dhaka on November 29 on a visit to the coastal areas, arrives at Dubla, a tiny fishing village in the Sundarbans, today. The prime minister is on a three-day visit to the coastal areas to see for himself the coastal embankment projects, arrangements for the conservation of coastal forests and preservation of wildlife.

Arriving at Dubla the PM enquires about the welfare of the villagers who present some of their immediate problems of scarcity of drinking water and shortage of medicines before Bangabandhu. The PM asks the accompanying district officials to immediately arrange the supply of drinking water and vaccines. Blankets are distributed to the villagers, some of whom also receive monetary assistance in view of their acute distress.

#### BANGLADESH TO ESTABLISH MISSION AT EEC HQ

The Government of Bangladesh is expected to open an economic mission at European Economic Community headquarters at Brussels shortly to establish and maintain direct links with the European Common Market and the individual member countries.

SOURCES: December 2, 1972 issues of Bangladesh Observer, Dainik Bangla and Dainik Ittefaq.

# China defence minister's visit postponed

DIPLOMATIC CORRESPONDENT

Chinese Defence Minister Gen Wei Fenghe has suspended his visit to Dhaka scheduled this week.

"The visit will take place at a mutually convenient date later on. Suspension of the Chinese minister's visit is not something extraordinary. This can happen," a foreign ministry official told The Daily Star yesterday.

Asked about the agenda of Wei Fenghe's visit, the official said Dhaka and Beijing were not to that level where agendas were specified. However, defence cooperation is generally the issue as Bangladesh buys major military hardware from China, he said.

The Chinese minister visited Nepal on Sunday, the highest level visit from China since Chinese President Xi Jinping had gone there in October last year on a two-day visit, the Kathmandu Post reported.

During his daylong stay in Kathmandu, Wei called on Nepalese Prime Minister KP Sharma Oli, paid a courtesy call on President Bitya Devi Bhandari and held talks with Chief of the

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# Human ageing reversed in 'holy grail' study



INDEPENDENT.CO.UK

Scientists claim to have successfully reversed the biological ageing process in a group of elderly adults.

In a first of a kind study, researchers from Tel Aviv University and the Shamir Medical Center used a form of oxygen therapy to reverse two key indicators of biological ageing: Telomere length and senescent cells accumulation.

As the human body gets older, it experiences the shortening of telomeres -- the protective caps found at the end of chromosomes -- and an increase in

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# JAIL GATE MARRIAGE HC grants 1-yr bail to rape accused

STAFF CORRESPONDENT

Zahirul Islam alias Zia Uddin, an accused in a rape case in Feni, secured bail for one year from the High Court yesterday, 11 days after he married the complainant at the jail gate in line with a condition set by the court.

The HC, however, asked the lower court concerned to finish the trial of the rape case in 180 days from the date it accepted the case for holding the trial under

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## PRAYER TIMING DECEMBER 1

Fazr Zohr Asr Maghrib Esha  
 AZAN 5-15 12-45 3-45 5-19 7-00  
 JAMAAT 5-50 1-15 4-00 5-22 7-30

SOURCE: ISLAMIC FOUNDATION



Workers without any safety gear demolishing a part of a building in Tejjao rail crossing area yesterday. Such disregard for safety often results in fatal accidents.

PHOTO: PALASH KHAN

# MC COLLEGE RAPE DNA test of 4 accused finds evidence

Charge sheet soon

OUR CORRESPONDENT, Sylhet

DNA test found evidence that four accused were involved in the rape of a woman at Sylhet's Murari Chand (MC) College, police say.

They said a charge sheet will be submitted soon in the case.

The DNA report was handed to the investigation officer of the case by the court on Sunday night, said BM Ashraf Ullah Taher, additional deputy commissioner (media) of Sylhet Metropolitan Police.

The DNA samples of eight accused in the case were collected and sent to a Dhaka lab on October 1 and 3 for tests. The test report was sent to Sylhet Metropolitan Magistrate's Court that handed over it

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