



PARADOX PREMIER: Sugandha or the old Ganobhaban is abuzz again with having another Prime Minister but the premier's office-turned-state-guest-house-turned-premier's office building perhaps, now, does double function of hosting state guests and housing the Prime Ministers office. So, at least, say the inscriptions on the main gate. — Star photo

'Old Ganobhaban' again made PM's office

Star Report

The state guest house, Sugandha which is popularly known as 'Old Ganobhaban' has been turned into Prime Minister's office. Prime Minister Begum Khaleda Zia has already started attending office here in the afternoon for the last few days. She normally attends her office at the Bangladesh Secretariat.

This building has a significant past. It was set up in 1910 by the British rulers dur-

ing the period of partition of Bengal. Founder of Pakistan Quaid-e-Azam Mohammad Ali Jinnah stayed here during his visit to erstwhile East Pakistan as the Governor General of the country in 1948.

The building was turned into President's house later and it remained so during the erstwhile Pakistan.

After liberation it became office of the Prime Minister and was known as Ganobhaban.

Queen Elizabeth II stayed here twice during her visit in 1961 and 1983.

After the changeover of government in 1975 the house was made the official residence of the vice-president.

During the rule of deposed president HM Ershad the house was brought under the management of the Foreign Ministry and made a state guest house and was named Sugandha.

AMAZINGLY Huq too did not ask for the mike even. Deputy Speaker Sheikh Razzak Ali enjoyed the shouting and asked Huq to speak from Mymensingh next time. "I shall hear you if you speak from your constituency." The AL member took the seat with great satisfaction.

DL: The names of the persons who can keep unlicensed arms are also mentioned in the exemption list as (all except the following). (he showed the list)

GM: Yes, all except the following persons.

DL: Which are exempted?

GM: .455 or any intermediary pistols.

DL: .455 is a fraction and it can't be a base for determining intermediary bore?

GM: All the bores between the highest and the lowest are intermediary.

Attorney General (to Defence Lawyer Jokingly): It was done when your government was in power. Sheikh Shaheb did it hurriedly in 1973 to recover unauthorised arms.

DL: (giving a suggestion) The definition of intermediary bore is absurd, meaningless and has no relevance to the exemption.

GM: It is not a fact.

DL: Column two of the notification deals with the arms which are exempted from license. My client has been exempted by the law.

GM: It is not a fact.

DL: He can keep .455 and above.

GM: It is not a fact.

DL: What kind of a pistol can the President keep without licence?

GM: It is mentioned in the notification.

DL: He can keep all the pistols from 9 mm to .22 bore.

GM: It is not a fact.

DL: No other pistol in the world is manufactured except those of .455 to .220 calibre bores.

GM: It is not a fact.

DL: When you went to meet Ershad, he said that some of the arms were gifts?

GM: I have already said it.

DL: Was it mentioned in the chargesheet?

GM: It was proved that those were not gift items.

DL: What investigation did

Amnesty for Ershad sought

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statement of the prosecution. Before the last witness was produced Judge Mohammad Habibullah snubbed Police Officer Shamsheer Alam for visiting the Gulshan Sub-jail without uniform.

The Attorney General Aminul Haque also lashed out at the Police Officer during the cross-examination for his unbecoming behaviour.

It was reported in the Tribunal on Monday that Shamsheer met Ershad for 180 minutes spreading over six days, mostly at night and without any uniform. However he said that he went there to perform his duty.

He was also declared as gained over by the defence. CID Investigation Officer Golam Mostafa was the last Prosecution witness in the case.

He said that as a president Ershad was not exempted by the Arms Acts from possessing the arms which were found from his residence without any licence.

He said that the Sena Bhavan was not declared as the annexe of the Toshakhana of Banga Bhavan by the government.

He said that he had correspondence with different relevant departments of the government to ascertain whether the recovered arms were gift items.

But he said that he did not get any evidence to that effect. Golam Mostafa said that he asked the Chief of Protocol and enquired about the items, whether those were gifts, but the Chief of Protocol could not say anything about the arms.

He said that the Assistant Military Secretary was also asked about the items and that he had correspondence with the Foreign Ministry to ascertain the source of the arms.

He said that he framed the chargesheet under Section 26 of the Special Powers Act.

The Investigating Officer cross-examined by the Defence. Defence Lawyer Yousuf Haider Humayun also cross-examined the witness.

Sirajul Haque started the question: Defence Layer: Are you an arms expert?

Golam Mostafa (GM): No. Judge: As he is not an arms expert he will conclude quickly but it would take more time if he would take more time.

(After recess) DL: You are saying that .455 is the lowest bore and .220 is the lowest bore.

GM: No. DL: In between .455 and .220 all items are intermediary items?

GM: Yes. DL: As President he could also keep higher powered bores.

GM: Yes he could keep but not without license.

DL: Are you saying that those are prohibited?

GM: I am saying that he is not exempted by the notification of the Arms Act.

DL: What kind of pistol can a commonman possess?

GM: With license any pistol can be possessed by the commonman except those which are prohibited by law.

DL: The names of the persons who can keep unlicensed arms are also mentioned in the exemption list as (all except the following). (he showed the list)

GM: Yes, all except the following persons.

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GM: It is not a fact.

DL: When you went to meet Ershad, he said that some of the arms were gifts?

GM: I have already said it.

DL: Was it mentioned in the chargesheet?

GM: It was proved that those were not gift items.

DL: What investigation did

you make to prove that those were not gift items?

GM: If those were gift items why were they not deposited in the Toshakhana.

DL: Are you interpreting law to prove that those were not gifts?

GM: I also contacted the Foreign Ministry to know about it.

DL: When you interrogated him (Ershad) he was detained at House No 10 of Gulshan?

GM: Yes. But his hands and legs were not tied up.

DL: Is it unusual to keep documents during detention?

GM: I don't know. DL: Do you know that there is a law under the Arms Act for search and seizure?

GM: No. DL: Did you not seize anything from my client?

Attorney General: He earlier said that he seized everything from the Inventory Committee.

DL: You did not obtain any written instruction from the Magistrate.

GM: I seized the items as Investigating Officer.

DL: You have handed over a document to the Court. Did you mention there that the Sena Bhavan was not the annexe of the Bangabhaban.

GM: There is no mention. DL: You described the glassroom as a drawing room.

GM: The Glassroom used to be used as the drawing room. DL: Were some arms recovered from the showroom of the living room of the Sena Bhavan?

GM: I can't remember that. DL: Were any arms recovered from the Sena Bhavan on December 22, 1990?

GM: I can't remember. DL: The recovery of the arms can be exempted under law.

GM: This is not true. DL: Did you examine those persons who went abroad with the President?

GM: I asked about the arms to an SP, Chief of Protocol of the Bangabhaban and the foreign ministry.

DL: Did you ask Brigadier Ilyas?

GM: No. DL: You did not mention the place of occurrence in your chargesheet?

GM: There is no column for place of occurrence.

DL: We have got an omelette without an egg.

Police Officer Shamsheer Alam produced as court witness was cross examined by both the Defence Lawyer Sirajul Haque and the Attorney General Aminul Haque.

The Defence Lawyer first questioned the witness.

Defence Lawyer (DL): Did you mention the date of the incident in the FIR? Say it after seeing the documents.

Shamsheer Alam (SA): There is a date mentioned in the FIR, the 24th of December 1990.

DL: When were the unlicensed arms recovered?

SA: On December 24, 1990.

DL: You mentioned the date December 22.

SA: There is no mention in the FIR that the arms were recovered on December 22.

DL: Did you prepare the FIR?

SA: I prepared the FIR in my own hand writing.

DL: Were no arms recovered on December 22?

SA: It is not mentioned in the FIR.

DL: Did you prepare the FIR all by yourself?

SA: Yes. DL: What happened on December 24? Were you present there?

SA: Mustafzur Rahman presented a box. I was present there.

Four arms were recovered from the box.

DL: Did you send some of the recovered arms to the thana or did you keep all the arms with you?

SA: I can't remember. Probably all the arms had been kept with us.

Judge: What is the meaning of with us?

SA: With us means with the Inventory Committee.

DL: You sent the licences arms to the thana and kept all unlicensed arms with you?

SA: I can't remember.

DL: Where are the arms?

SA: I can't say.

DL: Are you the superior officer of the OC of the Cantonment thana?

SA: The OC of the Cantonment thana is my subordinate staff.

DL: You went to the Gulshan house where Ershad was detained six to seven times?

SA: I went there many times.

DL: Why did you go there?

SA: I was the overall in-charge. The Gulshan house was not declared a sub-jail till then. I had to go there to do my duty. I had a written order to that effect.

DL: What was in the written order?

SA: I was the overall in-charge of the house.

DL: Who gave that order?

SA: DMP Commissioner.

DL: So we can assume that you would go there to do your

duty and not for any other purpose?

SA: That is so. There was another officer to help me in performing my duty. I would remain worried if I could not go there. More than 300 policemen had been deployed there for security reasons.

DL: Did you go there after the recovery of the pistols and guns?

SA: Yes, I saw the police and the Security Branch (SB) men posted there conversing with each other.

DL: Did you go there after the recovery of arms?

SA: Yes, for security purposes.

DL: Did you not talk about the recovery of arms?

SA: No. DL: The arms were recovered December 24, but you lodged the FIR on January 5. What did you do during the 11 days?

SA: We worked as a team under the leadership of the Chief Metropolitan Magistrate. The Chairman of the committee contacted the authorities for disposing of the arms from time to time.

DL: You did not lodge the FIR on your own?

SA: No. Yes. No. No. DL: You had no intention to lodge the FIR.

SA: I had the intention. DL: Did you lodge the FIR on your own?

SA: I can't lodge an FIR on my own initiative.

DL: Did you recommend for an FIR?

SA: I did not, and there was no scope for a recommendation.

DL: As a superior officer to the OC of the Cantonment thana you could accept the case on your own?

SA: I had all the power to accept the case.

DL: You mentioned the number of bullets was 174 in a place in your FIR. But here is no mention of 375 bullets.

SA: The bullets were with the arms brought by Mustafzur Rahman.

DL: Did the Committee members take any initiative to find out from where the bullets came?

SA: Our duty was to make a list of the recovered goods.

DL: You did not try to find out the source of bullets, or from where the President got the bullets. What is the use to finding out the source?

You were ready to file the case anyway.

You are a dutiful officer. But do you do what I say?

SA: No. DL: Would you do what I say?

SA: No, I am a government officer, I believe in performing my duty.

Judge: He has been declared hostile by the Prosecution.

DL: Not hostile. Gained over.

DL: Did we gain you over?

SA: No. The question does not arise.

DL: Is it true that we have gained you over as is claimed by the prosecution.

SA: There is not even a fraction of truth that I have been gained over.

Judge: So he is not gained over.

DL: He is a truthful witness.

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