

Sirajul Huq says Ershad being maligned Defence threatens retaliation

By Staff Correspondent

Argument on the admissibility of the paper clipping of an issue of 'London Observer' carrying the 'love and graft' story on deposed President Ershad was not held yesterday (Monday) at the Special Judge Court, trying Ershad for amassing wealth.

The court of Special Judge Mohammad Ali Khan, on Sunday had observed hot arguments between the prosecution and defence lawyers over the admissibility of the paper clipping as evidence against Ershad.

Chief Defence counsel of Ershad later told the press that he had requested the Attorney General not to resume argument on this issue to give him some time to collect evidence against the report of the London Observer.

Talking to the press Advocate Sirajul Huq said that he had collected information from London about the report. He said that a protest against the report was also published in the same newspaper and the matter was settled there. Said that Lt Gen (Rtd) Mir Shawkat Ali, the then High Commissioner to London, issued the protest to the 'London Observer,' he said.

Sirajul Huq also gave a veiled threat to the prosecution side saying that the defence side would also resort to retaliation against the prosecution if further step was taken to malign the accused (Ershad) by bringing in extraneous matters before the court.

He said that the press report could not be considered as a substantive evidence as per decision of the Privy Council.

Invoking Clause 53 and 54 of the Evidence Act, Advocate Sirajul Huq said that in the way of corroborating the prosecution, evidence of bad character could not be produced against any accused.

He said that if the defence side produced any evidence of good character, the prosecution could bring evidence of bad character to corroborate a statement. But in this case, evidence of good character had not been produced from the defence side to defend the accused. 'No body is above law, nobody is beyond law,' Advocate Sirajul Huq said.

He also drew attention of the press that he had asked

Ershad to authorise him to operate one of his bank accounts, which were frozen by the government.

Sirajul Huq said that the lawyers were not paid their fees due to want of money. Sirajul Huq said that it had now become difficult to pay the lawyers. He said if Ershad authorised him to operate a bank account he would request Prime Minister Khaleda Zia to give him special permission to draw the money to pay the lawyers.

Hearing of the case is coming to a close with the deposition of the last prosecution witness — the investigating officer of the case, today. The Defence Counsel however hinted that it would produce defence witnesses including Ershad's brother-in-law Mostafizur Rahman and Acting Chairman of Jatiya Party Mizanur Rahman Chowdhury.

Under the act of the case, Ershad himself may be deposed as defence witness by way of clarification about the recovered money.

In the court yesterday, Salehuddin (SP Rajshahi) former Deputy Director of Anti-Corruption Bureau, who was informant of the case was cross-examined by the defence lawyers.

Following were the excerpts: DL: Was there any positive direction from the President's Secretariat to file FIR?

PW: No. DL: Were you aware of the prices of goods and the life long income of the ex-President when prices were fixed?

PW: I did not know the exact prices and the income. DL: Had CMM directed you to file FIR?

PW: No, nobody directed me. I filed the FIR as I was convinced. DL: Was your conviction subjective or objective?

PW: Objective. DL: Were you directed by the President or any higher authority to start the case?

PW: None directed me. The prosecution witness refuted a defence suggestion that the case was a conspiracy — 'an act of putting the cart before the horse'.

After cross examination Judge Mohammad Ali Khan adjourned the court to resume today at 10.30 am.



Prime Minister Begum Khaleda Zia talking to city dwellers while visiting different parts of the city yesterday. — PID photo

Tadzhikistan declares independence, Kazakhstan party turns socialist

Food crisis may trigger instability in USSR, warns Shevardnadze

PARIS, Sept 9: Former Soviet Foreign Minister Eduard Shevardnadze warned Sunday that food shortages in the Soviet Union this winter may trigger 'uncontrolled and spontaneous movements' which could cause instability and threaten 'the whole world' reports agencies.

Interviewed on French television's private TF 1 channel, Shevardnadze one of the founders of the Soviet political group Movement for Democratic Reform, also called for a 'priority' to be put on eliminating tactical nuclear weapons 'spread throughout the territories of the republics.'

The Soviet Union, he said, was going through 'a crisis that is worsening' because of its 'economic difficulties.'

But 'the most difficult months will be the winter months,' he warned, adding: 'we must get through winter and March and April, it seems to me. It's then that we're going to have all the problems.'

'The faster we eliminate this category of arms, the better it will be. We must put a priority on resolving this problem... because it's dangerous for you as well as us.'

Shevardnadze resigned as foreign minister on December 20, warning that a coup was in the making.

But Soviet Prime Minister Ivan Silayev said on Sunday that despite the country's tenuous economic and political situation, he does not expect the Soviet Union to be hit by starvation in the coming winter.

He noted that the coming winter is expected to be colder than usual. But he said he does not expect shortages of fuel or electricity to create a major problem.

Silayev stressed that it was important for the Soviet Union to remain unified.

'I believe now that the putsch has been unravelled, we are in the process of renewal, we have more freedom, and we look to the future with confidence, he said.

The communist-dominate parliament of Tadzhikistan, the Soviet Union's southernmost republic, today became the 11th Soviet republic to declare its independence.

Interfax news agency reported. The parliament, in a special session, voted to proclaim the republic a 'sovereign, democratic and legal state,' Interfax said. It gave no further details.

Only Russia, Armenia, Turkmenia and Kazakhstan have not declared their independence, although, with the exception of the three Baltic republics, the declarations are in most cases symbolic.

Thus, the move apparently does not reverse a recent referendum in which Central Asia's smallest republic had voted to remain a part of the Soviet Union, and had signalled its intention to sign the treaty of union.

Tadzhikistan, bordering Afghanistan, Pakistan, India and China, has a population of 5.1 million, 59 percent of whom have Persian roots. Uzbeks constitute 23 per cent and Russians 10 per cent.

Late monsoon flood

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districts following incessant rainfall during the last few days.

Official sources said that Rajshahi-Chapainawabganj highway has been submerged at several points and road communication between the two district headquarters has been cut off from Monday evening.

The sources said 33 unions out of 48 in Chapainawabganj have been affected.

In Rajshahi, 60 dwelling houses were devoured by Padma during last two days.

Mayor of Rajshahi City Corporation Mizanur Rahman said that 30,000 people in 17 wards have been affected and the city graveyard has also been submerged.

Meanwhile, four relief camps have been opened in the city.

State Minister for LGRD and Cooperatives Kabir Hossain and State Minister for Relief Lutfar Rahman accompanied by Mayor Mizanur Rahman, Azizur Rahman MP, and Aminul Islam MP Monday visited the flood affected areas of Rajshahi, Godagari and Chapainawabganj.

Char areas of Rajshahi region mainly Char Asharadaha, have been badly affected, posing a threat to the flood protection embankment of Rajshahi town also.

The National Irrigation Institute in Shibganj under Chapainawabganj has been closed down due to the floods.

The BDR has been asked to evacuate the marooned people from the worst flood affected areas of the two districts. Relief work had already been started in many places. Official sources said sares, lungis and medicines are being distributed among the affected people.

The government had sanctioned Taka three lakh for providing succour to the flood affected people, the source added.

Meanwhile, the river Padma was flowing 25 cm above danger level at Rajshahi while Mahananda was flowing 69 cm above danger mark at Chapainawabganj.

and Padma threatened the very existence of the villages Narayanpur and Amtali in Sadar Upazila and Uzirpur and Paka in Shibganj upazila.

About 40,000 people were marooned by the flood water and standing crops on about 20,000 acres of land washed away during the last few days, officials said.

UNB from Pabna reports: Twenty-three people died as flood situation took an alarming turn in the district with outbreak of diarrhoea in the submerged villages.

A minor boy, Habib (8) of Kamarpur village in Sadar upazila, was drowned in flood water on Sunday.

Sources said 25,000 people have been marooned in seven upazilas of the district as Padma and Jamuna and their tributaries rose sharply amid incessant downpour and onrush of water from upper

riches. About 2,000 families in Bera, Sujaganar, Iswardi and Sadar upazilas were left homeless.

The Padma was flowing 16 cm above danger level at the Harding Bridge point while the Jamuna swelled 12 cm above danger mark at Nagbari.

About 3,000 homeless people have taken shelter on three flood control embankments.

Standing crops on 16,000 acres of land were washed away according to official account.

Bera Pump Station, an irrigation project built at a cost of four crore taka Nagbari ferry ghat, and the Rooppur Atomic Energy Project in Iswardi have been overflooded.

The overflowing river Ganges made ferry services difficult between Beramara and Paksey ghats.

Another accused held

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special squads of the detective branch, along with uniformed police launched a sudden raid on the Ahsanullah hall of the BUET acting on a secret tip off. Feeling the presence of police Masud and his associates, then at the canteen premises of the hall, tried to escape through Nazrul Islam hall of the university.

Police chased them and arrested Masudur Rahman from the ground floor of the hall.

Witnesses said that police fired two rounds of gunshots, one of which hurt Masud's leg and he failed to flee.

BUET sources said Obhi and his associates were alternately staying at Suhrwardi hall, Nazrul Islam hall and Ahsanullah hall of the university since long and they were often found eating at the Ahsanullah hall canteen.

According to police, Masud was the son of Mokheleer Rahman of Dashedina of Patuakhali district and was charged by the C.I.D. police along with Sanaul Haq Niru, Golam Faruk Obhi, Gazi Quamrul Islam Sazal and Mirza Masud Jewel.

It may be mentioned that

PM

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were reconstructed with low quality materials. The past autocratic regime under its so-called city development programmes plundered national exchequer and failed to ensure minimum civic amenities to the city dwellers.

The Mayor pointed out that the past autocratic regime did not adopt any well thought out plans for drainage system which now creating water logging problems in different city areas. He also mentioned that the city protection embankment needed survey and planning to solve water stagnation problems in the capital.

During the visit Begum Zia went to Palashi Barrack colony in Azimpur. The inhabitants of the colony approached her car to have a glimpse. Mir Shawkat Ali, who was elected from Azimpur Lalbagh areas in February polls, apprised the Prime Minister of water logging and other problems faced by the residents of the colony.

The Prime Minister visited Shahidullah Road, Fulbaria, Nimitali, Palashi Barrack, Nilkhet, Lalbagh, New Market, Elephanta Road, Free School Street, Kathal Bagan Bazar, Green Road, Hazaribagh, Jigatala, Rayerbazar, Tannery Mor, Mohammadpur, Town Hall Bazar, Shaymoli, Agargaon Taltala, Cantonment, Dakkhin Khan, Ichhapur, Molliar Tek, Khilkhet and Badda areas.

Begum Zia also saw the progress of work of Titas gas connection now being provided to Badda area.

In the evening the Prime Minister also visited Manikdi Bazar, Kuchukhet Bazar and Ibrahimpur Bazar and saw the condition of the roads there.

The decision was taken Sunday after more than 12 hours of debate by 600 delegates to a special congress at Alma-ata, the Soviet news agency said.

The new party would be the 'successor' of the Communist Party, the delegates decided, dissociating themselves from the 'numerous errors' of the past.

Kazakhstan President Nursultan Nazarbayev, who resigned as leader of the Communist Party after the abortive coup d'etat against Soviet President Mikhail Gorbachev last month, said during the debate that the proposed to nationalise some of the Kazakh Communist Party's property and transform it into a parliamentary type party.

US Secretary of State James Baker will discuss US concerns about control of Soviet nuclear weapons with leaders of the Soviet republics as well as central government officials in Moscow, a US official said on Sunday.

Hasina

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She stated recent remarks of Prime Minister Begum Khaleda Zia that development works would stop if BNP candidates were not elected.

'Public money will be spent for the people... Awami League will ensure equal development of all regions in the country,' Hasina announced hours before a 48-hour ban came into effect from midnight tonight on all sorts of campaigning for Wednesday's bye-election.

Criticising the BNP government, Hasina said deterioration of law and order, price-hike, and unabated terrorism in educational institutions have made public life unbearable.

She accused the BNP ministers of misusing official power for fulfilling their own political interests.

Rains

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Inner Circular Road, Maghbazar and Lalbagh. Heavy downpour was also reported at other parts of the country. The highest rainfall was recorded by the Met office at 125 mm in Rangpur.

Rainfall recorded from 12 noon Monday was 21mm in Khulna, 15mm in Mymensingh, 14 mm in Rajshahi, 10 mm in Matizee Court and 9 mm in Bholra. Met office said.

The Met office also forecast heavy rainfall at places over the Dhaka and Rajshahi divisions during the next 24 hours commencing from 6 pm Monday.

Shahabuddin

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sioners, upazila chairmen and Upazila Nirbahi Officers of the districts of Jamalpur, Tangail, Sherpur, Kishoreganj and Mymensingh at the Zila Parishad auditorium here this morning.

He said it was the moral obligation of the political parties in the Jatiya Sangsad, which had unanimously passed the Constitution 12th Amendment Bill, to motivate voters for largescale participation in the referendum.

Justice Shahabuddin Ahmed urged the political parties to organise meetings up to the village level for explaining to the people its implication.

He also addressed a separate gathering of local elites at the Town Hall.

PDB

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About the fresh schedule of DESA launching on September 21, Dr. Hossain said 'that's our target, but we will launch DESA at a convenient time.'

He said the authorities were holding talks with the PDB employees unions to accept the DESA concept. 'Although they are not yet convinced, I hope they will be understanding.'

'Their job will not be at stake by any means, DESA will rather create new employment opportunity,' the state minister said.

Asked what would be government action if employees and workers go on strike the day DESA is launched, he said adequate measures were being taken to ensure that power generation and supply are not affected.

The Midnight File

Babri masjid : Muslim leaders protest UP govt activities

NEW DELHI, Sept 9: Prominent Muslim leaders, including several MPs, today staged a sit-in near the parliament house to protest what they called 'illegal and unconstitutional' activities of the Uttar Pradesh government with regard to the controversial Ayodhya shrine. The sit-in, organised jointly by the All India Babri Masjid Action Committee (AIMBAC) and the Babri Masjid Movement Coordination Committee (BMMCC), demanded action by the centre against these activities 'of the state government and to provide protection to the Babri Masjid-Ram Janmabhoomi Mosque, reports PTI.

Cuba recognises Baltic republics

HAVANA, Sept 9: Cuba today recognised the independence of Estonia, Latvia and Lithuania. A Foreign Ministry statement said the communist-ruled island was ready to establish diplomatic relations with the three Baltic states and hoped they would be ready to cooperate and strengthen ties with Cuba, reports Reuter.

Gorbachev sending envoy to ME

MOSCOW, Sept 9: Yevgeny Primakov, President Mikhail S. Gorbachev's special envoy, plans to leave Tuesday on a tour of the Middle East, but a spokesman said the trip was not related to a proposed peace conference for the region. He will carry messages from Gorbachev to each national leader, Tass said, reports AP.

KAFSCO project

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would require it to issue. Such guarantees are to cover export credit loans by three governmental agencies — Export Import Bank of Japan (JEXIM), SACE (Italy), and IESA (Romania).

Meanwhile, three 'prominent' Bangladeshi lawyers have reviewed the 'agreed texts' of the LOs at the request of the government and each of them reportedly has declared they are standard and common in international financing arrangements of this nature and can be 'signed by the government in their present form,' the sources said.

During the recent visit by a high-powered Japanese economic delegation despatched by the Tokyo government to Dhaka, the LOs issue relating to KAFSCO figured prominently in their talks with the government functionaries. The Japanese side insisted on issuing of LOs by the Bangladesh government in accordance with the agreed minutes of the meeting of June 19, 1991 while noting that any further delay would adversely affect the flow of foreign direct investments to Bangladesh.

The text of LOs were originally presented to the Ministry of Finance, in July 1990. The JEXIM and other export credit loan agreements were signed in September, 1990 and October, 1990 with copies of LOs attached 'as required appendices,' the elected government, however, voiced its objection to certain provisions of the LOs in April 1991. The JEXIM later agreed to delete some provisions of the original LOs, setting, what KAFSCO sources said, the 'first-ever' instance in which it allowed modifications of a text of a guarantee after the loan agreement had been executed.

This was done 'in an unprecedented display of its flexibility and deference to the elected government of Bangladesh,' the same sources noted. Following this, the agreed minutes of the meeting of relevant representatives stipulating 'no further modifications or amendments' were signed in June 1991. The LOs were to be issued by July 15, 1991 under the agreed minutes.

Explaining the relevance of LOs for KAFSCO, the concerned circles said export credits were offered by the governments of Japan, Italy and Romania on the condition that a full guarantee of the loans should be provided by the Bangladesh government. This is quite consistent with the export credit scheme of the Organisation for Economic Cooperation and Development OECD guideline,' they added.

The same circles stated, the Letters of Guarantees do not require the government to directly make installment payments to repay the export credit loans in the first instance. 'Rather, the Letters of Guarantee will come into play only as security in the event KAFSCO should default in payment of the export credit loans,' they added. Even in such a case, the government will be protected by counter-indemnities from KAFSCO in

the form of a Deed of Guarantee and counter-indemnity agreement under which the government will eventually recoup its losses if it makes any payments covering defaults of KAFSCO, they explained.

Concerned circles noted that the KAFSCO project and its financing pattern developed over the long 10 years of negotiations. It has its origin in the late 1970s as a result of the goal of World Bank to industrialise Bangladesh through use of natural gas resources. The KAFSCO was established in 1981 with the original promoters agreement initiating it and was signed in Washington in December that year. A further shareholders agreement covering the project was executed in April, 1990.

The project received approval five times so far at different levels of the government. At various times all or part of the project got approval of National Economic Council in 1981, National Council for Industrial Development (NCID) in August and December in 1987, and hard-term Loan Committee in November, 1990. It was reapproved by Executive Committee of National Economic Council (ECNEC) in April, 1991 by the democratically elected government.

Some circles strongly feel that the success or failure of the KAFSCO project will largely influence the flows of private foreign investment flows on commercially viable terms. 'KAFSCO can be a premier project representing the forerunner for the government's new policy to convert to a market-oriented private sector economy,' they suggest.

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By-elections

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The candidates: Rangpur-1: Shah Ruhul Islam (Jamaat), Alhaj Rahimuddin Bharrasa (BNP), Alhaj Karimuddin Bharrasa (JP) and Mohammad Majibur Rahman Mohammaj (AL).

Rangpur-2: Shah Mohammad Nur Hossain (Jamaat), Advocate Ilias Ali (BNP), Mohammad Anisul Haq Chowdhury (AL), Sree Partosh Chakraborti (JP).

Rangpur-3: Maulana Abu Bakar Wahidi (Jamaat), Nurul Huda (Sultan) (BNP), Ashkur Rahman (AL), Mizanur Rahman Chowdhury (JP).

Rangpur-4: Shah Mohammad Khaleque (BNP), Mohammad Mattur Rahman (AL), Advocate Abdus Salam (Jamaat) and Shah Moazzem Hossain (JP).

Bogra-7: Helaluzzaman Talukdar Lulu (BNP), A H Azam Khan (AL), Abdur Razzak Millat Mandal (JP) and Aminul Islam (Ind).

Bholra-2: Mosharraf Hossain Shahjahan (BNP), Anwar Hossain Bhuiyan (AL), and Mohammad Siddique Miah (JP).

Dhaka-5: Major (Retd) Qamrul Islam (BNP), Advocate Shahara Khatun (AL), ABM Fazuul Haq, and Bahauddin Ahmed, Advocate Ruhul Amin Khan, Mohammad Enamul Karim Suja, Abdullah Al-Naser.

Dhaka-9: Mohammad Shafiqul Islam (JP), Zamiruddin Sircar (BNP), Alhaj Mokbul Hossain (AL), and Mohammad Jahangir, Mir Anwar Hossain Ratan, Arif Howlader and Mohammad Shahidul Islam Milan.

Madaripur-1: Nur-e-Alam Chowdhury (AL), Motaah Hossain Siddiqui (BNP) Mohammad Mokbul Hossain (JP) and Abdul Latif Bhawani (Ind).

Madaripur-2: Nazrul Islam Shahid (Ind), Shahjahan Khan (AL), Alhaj Ferdous Jamadar (Ind), AFM Fuzul JSD-Inu, Mohammad Zakaria Mia Apu (JP), and Engineer Atiqur Rahman Babul (BNP).

Chittagong-8: Mohammad Abdul Mannan (AL) and Amir Khasru (BNP).

VAT on big sweetmeat shops justified: NBR

The National Board of Revenue (NBR) Monday said that most of the sweetmeat traders, who fell under the VAT system, did not register their names since the new tax system was introduced from July 1 in this year, reports BSS.

In a press statement, the NBR said the justification of the new tax was earlier brought to their notice but they did not comply with it. When proper initiative is being taken to implement it, the sweetmeat traders of Dhaka city called a token strike against the new measure Monday, the statement said.

It said the government had already withdrawn VAT from those sweetmeat shops outside the district and Metropolitan towns.

It also withdrew VAT from those shops which are under Tinsheed houses in the Metropolitan and district towns. The government has also published a gazette notification in this regard.

Besides, two percent Turnover Tax was imposed on those sweetmeat shops whose annual turn over was not over Taka five lakh, the statement said adding, only 15 per cent VAT was applicable to those sweetmeat shops whose annual turn over was over Taka five lakh.

The NBR considers that there was no justification to withdraw VAT from big sweetmeat shops when most of the industrial and manufactured goods are under the new system. It is certainly justifiable to impose VAT on big sweetmeat houses as the lion's share of the milk powder imported at the cost of a good amount of foreign currency is being used by the traders in this sector, the statement said.

The NBR also hoped that all misunderstanding would be removed with the publication of this statement.

Zardari cleared of third charge

KARACHI, Sept 9: A Pakistani court on Monday cleared opposition leader Benazir Bhutto's husband Asif Ali Zardari of a third charge of helping to arrange illegal bank loans, his lawyer said, reports Reuter.

Zardari remains in jail on other charges.

He was cleared on Monday of influencing an overseas branch of a state-run bank to lend 17.1 million pounds sterling to a friend without the required collateral.

A two-judge bench of the Sind High Court quashed the charge, Zardari's lawyer Raja Qureshi said. A detailed judgement would be issued later.

In May, two other courts acquitted Zardari of fixing unsecured loans worth 6.4 million dollars.

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China

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said tens of thousands of people visited the Mjao Zedong memorial hall today to view the leader's embalmed remains.

The visitors included Mao's grandson, Mao Xinyu, and two People's Liberation Army soldiers who were first in line and were quoted by the agency as saying: 'All the members of our army unit respect and love Mao Zedong.'

The People's Daily ran three articles on Maoism in a spread on an inside page Monday, all of them signed by professors from Mao's home province Hunan.

The headline of the lead story said: 'The leadership position of Mao Zedong thought must be maintained,' underscoring China's increasingly dogmatic line since the collapse of communism in eastern Europe and the Soviet Union.

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