



# Philips Lighting

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## Golam Azam's citizenship case

### AG completes submission

The government acted only when a foreigner like Golam Azam became the Ameer of a political party in Bangladesh. Attorney General Aminul Huq told the Appellate Division of the Supreme Court yesterday, reports BSS.

Summing up his arguments on the seventh day of the hearing on the appeal against the verdict of the High Court Division restoring the citizenship of Golam Azam, the Attorney General replied to a number of queries from the court. A R Yusuf, Bar-at-Law, who is appearing for Golam Azam, also began his submissions yesterday.

The Attorney General submitted that Golam Azam came to Bangladesh with a Pakistani passport in 1978 and extended his visa twice. But till the date of his becoming Ameer of the Jamaat-e-Islami, the government did not disturb Azam.

Replies to a query from the court, the Attorney General said whether Golam Azam would be treated as a stateless person is a matter to be decided by government.

The petition of Golam Azam seeking restoration of his citizenship is still pending before the government and this view was upheld by all the three judges of the High Court Division, he pointed out.

Answering another query, the Attorney General said although Golam Azam's name was published in the voters' list yet he did not mention in his writ petition that he had cast vote. This, Attorney General Huq said, indicates that Golam Azam did not cast his vote.

The Attorney General, justifying the notification that scrapped Azam's citizenship, quoted from a book namely, 'Brooms Legal Maxims' which says "regard for the public welfare is the highest law," and argued that the notification was served for the public welfare.

The Attorney General further submitted that the notification cancelling Azam's citizenship was made on the basis of public demand and for the people's benefit.

He pointed out that none of the past governments allowed Golam Azam's prayer for restoration of his citizenship because they felt the notification cancelling his citizenship was justified.

Replies to a question from the court the Attorney General said if the notification were to be deemed illegal by this court, it would tantamount to a rehabilitation of Golam Azam in the political community of Bangladesh which, he added, would be a national catastrophe.

When the court wanted to know who would be the third party to be affected if Golam

**Hasina for action**

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session of the Socialist International. She is expected to return home today.

The Bangladeshis in Singapore informed Hasina that unscrupulous recruiting agencies in connivance with government departments concerned lure innocent workers with false promise of lucrative overseas jobs.

Expatriate Bangladeshis in Singapore had tried to meet the Prime Minister when she made a stopover there on her way back home from the NAM summit in Jakarta last year to apprise her of the problems faced by them. But they were refused audience. They requested the opposition leader to bring their problems to the notice of the government as well as the people.

Hasina sympathised with them and assured that she would extend help and assistance in mitigating their genuine grievances.

**34 extremists to die in Algeria**

TUNIS, May 16: Two Algerian courts have sentenced 34 Muslim fundamentalists to death in one day. Algeria's official and independent media said today, reports Reuter.

In the western town of Oran, a special court on Sunday condemned to death 16 men for killing three gendarmes and two civilians in the neighbouring town of Sidi-Bel-Abbes, the official Algerian news agency Aps said.



Prime Minister Begum Khaleda Zia, who left for Saudi Arabia yesterday to perform Hajj, being seen off at the Zia Airport by Law, Justice and Parliamentary Affairs Minister Mirza Golam Hafiz. Saudi Ambassador in Bangladesh Abdullah Omar Barry is also seen.

— PID photo

## Havoc wrought by Farakka

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upto Farakka.

The diplomats, sweating in the oppressive heat of high May noon, were apparently amazed to see vast expanses of sandy river beds, small lagoons, choked irrigation pumps installed at Bheramara to water 3.5 lakh acres within the ambitious Ganges-Kobadak Project, begun during Pakistani days.

If it is interpreted that all these provisions have retrospective effect then it would lead to an absurd conclusion because it could even mean the granting of citizenship to a person who was not born while under Article 4(A) and 5 are not retrospective.

He said Article 2 and 2(A) are retrospective while Articles 2(B), 3, 4, 4(A) and 5 are not retrospective.

Yusuf argued that Article 2(B) clause (II) empowers the government to grant citizenship to a person of North America or Europe. Article 4, he said, provides the government the power to grant citizenship to any person while under Article 4(A) the government can grant permanent residence to a person.

If it is interpreted that all these provisions have retrospective effect then it would lead to an absurd conclusion because it could even mean the granting of citizenship to a person who was not born while under Article 4(A) and 5 are not retrospective.

He further submitted that under Article 5, the government is vested with rule-making power but not vested with a further power to make rules with retrospective effect.

In the absence of that further power the government cannot make rules with retrospective effect and if any rule is made it would be ultra vires, the defence lawyer argued.

The Attorney General was assisted by Deputy Attorney General A F Hasan Arif, Assistant Attorneys General Sharifuddin Chaklader and Mir Hashmat Ali, and Advocate Obaidul Rahman Mustafa while A R Yusuf was assisted by Abdur Razzak, Bar-at-Law and Advocate Nawab Ali.

The hearing resumes today.

## Gaza

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Al-Behaisi, 27, who had lived in Egypt since 1973, said: "I had hoped all the time as long as there was an *intifada* (Palestinian uprising), heroes and stones that I would come back."

Lawi Al-Habil, 23, who served six months in the Gaza jail for *intifada* activities, said: "I don't know how to express my happiness. I want to see the cells I was tortured in, where the Shabaks put me. I want to go in to demolish the cells."

## EC extends

From Page 1 Col 7

of Bangladeshi origin will not be broken down by the community into regional shares.

Both Bangladesh and the EC will cooperate preventing sudden and prejudicial changes in traditional trade flows resulting in regional concentration of direct imports into the community.

Bangladesh has also agreed to monitor its exports of products under restraint or surveillance into the community and should a sudden change in the traditional trade flows arise, there will be consultations for satisfactory solution.

Bangladesh will also endeavour to ensure that exports of textile products subject to quantitative limits into the community are spaced out as evenly as possible over the year.

Meanwhile, the European Union council has adopted a compromise solution to the application in 1994 of the generalised system of Preferences (GSP) for Bangladesh as well as for other developing countries. This would allow duty free exports from Bangladesh to the EC.

every possible effort to avoid undue hardships to Bangladesh by sharing the flows of the Ganges at Farakka on an equitable basis. He said since then there had been two ministerial-level meetings and two Secretary-level meetings between the two countries but without any tangible progress.

The Irrigation Minister said since there has been no progress on the water-sharing dispute and the problem being of grave concern, Prime Minister Begum Khaleda Zia had raised the issue at the 48th session of the United Nations General Assembly in New York in October last. There she underscored the need for a solution for the fair share of the water resources of the 54 common rivers flowing through the two countries, the Minister recalled.

He said the unilateral withdrawals by India have brought over 40 million people in the Ganges basin to the brink of a catastrophe. The Farakka Barrage has become an issue of life and death for Bangladesh. He said "We firmly believe that arrangements must be made to ensure a fair sharing of the water resources of the Ganges by signing a permanent agreement."

Referring to the hydrological and morphological characteristics of the Ganges and its distributaries in Bangladesh, he said the flow reduction has been causing excessive silting, rise in the river beds and consequent reduction of the carrying capacity of the river channels resulting in aggravated flood during the monsoon. The offtake of the Ganges, the main distributary of the Ganges in Bangladesh, gets choked every year as early as January, making this important river high and dry throughout the lean period.

The Irrigation Minister said the Indian intervention in the natural flows of the Ganges is pushing a big part of the Bangladeshi population to the threshold of poverty and destruction. He described it as "nothing but a gross violation of human rights and justice." In fact, the economic structure of Bangladesh is now faced with a disaster," the minister added.

Later, talking to newsmen, the minister recalled the background of water-sharing agreements between the two countries, including that of 1977 which was signed after the issue was raised at the United Nations in 1976.

The 1977 agreement providing for a 60 per cent share of the Ganges water for Bangladesh lasted for five years, he said.

The minister's visit to the G-K Project accompanied by diplomats from 31 countries coincided with the commemoration of the 'Farakka Long March' which was led by late Maulana Abdul Hamid Khan Bhashani in 1976.

The Minister said since the 1989 dry season there has been no bilateral instrument for the sharing of the flows of the Ganges. As a result, India is "making massive unilateral diversion of the scarce dry season flows of the Ganges, causing drastic reduction in the flows in Bangladesh." He said repeated requests from Bangladesh and negotiations at all levels between the two countries have so far failed to break the deadlock.

He referred to the meeting of the Prime Minister of Bangladesh Begum Khaleda Zia with Indian Prime Minister Rao in May 1992 when the latter categorically assured of ev-

## Alleged gold smuggler on remand

By Staff Correspondent

A suspected gold smuggler Dara Khaled Choudhury alias D K Choudhury was remanded to the city's Detective Branch (DB) for six days yesterday.

D K Choudhury was arrested Sunday for his alleged involvement in the attempt to smuggle 57 kilograms of gold into the country last year.

The Customs officials foiled the smuggling attempt at the Zia International Airport (ZIA) on November 10 last year.

A DB source said that they had arrested six people so far. "We have been looking for some other people who were also involved in the smuggling attempt," said the DB official.

## Sharif

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around Malakand, a dusty outpost some 150 kilometers northwest of Islamabad. The protesters want local authorities to enforce shariah, the strict legal code set down in the Quran, the Muslim holy book.

## Hotel employee shot dead in city

A hotel employee was killed and two others were injured when a gunman opened fire in broad daylight at a Rangpura restaurant in the city yesterday, reports UNB.

Police said the assailant fired several shots from a sawed-off rifle at a young man, Shiron, standing in front of the Appayan Restaurant but missed the target.

Bullets hit Kamal Hossain and Abdus Sattar, both hotel employees, and Shah Alam, a customer. Kamal died on the spot.

## World Telecom Day today

The 26th World Telecom Day will be observed in the country today as a part of the worldwide programme, reports BSS.

The theme of the day this year is Telecommunication and Culture. It bears immense value to Bangladesh and also to 183 countries of the world.

## I held for selling stone idol

By Staff Correspondent

Police arrested one Rakhal Majumder Sunday for selling a black stone statue of Krishna to a German national T Eurie.

Majumder was remanded to the city's Detective Branch for two days.

T Eurie was held at Zia International Airport (ZIA) along with the statue Saturday while he was leaving the country.

Majumder was arrested from a shop — Haji Metal Craft — at DMC Super Market, Gulshan.

## BSP to raise

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the Morning Sun, Shafiq Rehman of the Jai Jai Din and others.

The BSP protested the DFP control over the distribution of government advertisements and demanded its withdrawal.

The members also demanded tax free newsprint for the newspaper industry and withdrawal of all restrictions on its import.

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## The Midnight File

### Japan may help US take action against DPRK

TOKYO, May 16: Prime Minister Tsutomu Hata said today Japan may help US forces take action against North Korea's refusal to allow full international inspections of its nuclear facilities. "Generally speaking, cooperation with US activities will be made within the limits of the constitution under any circumstances," Hata told the House of Councillors, reports AFP.

### Serbs support Geneva Declaration

BELGRADE, May 16: Serbian President Slobodan Milosevic supports last Friday's Geneva Declaration on Bosnia by representatives of the European Union, the United States and Russia. Russian special envoy to former Yugoslavia Vitali Churkin said today President Milosevic and Belgrade fully support the Geneva Declaration proposing an end to hostilities in Bosnia. The Tuanji news agency quoted Churkin as saying at the end of a 90-minute meeting with the Serbian leader, Reports AFP.

### Nat'l council of BCU begins

By DU Correspondent

The Bangladesh Chhatra Union (BCU) began its 23rd national council at the Dhaka University campus yesterday morning.

Dr Abdullah Al Muti Sharifuddin inaugurated the function at the Aparaeo Bangla.

Dr Sharifuddin in his speech alleged that the standard of education in the country was falling day by day. The future of the young generation has become uncertain, he said.

It would be tough to ensure education for all by the year 2000, Dr Sharifuddin added.

Later, the BCU workers brought out a big procession in the city and made a human chain from the Secretariat to Curzon Hall demanding an education policy.

The council meeting of the BCU will be held at the Engineers Institute today.

### 38 die in Chinese coal mine blast

BEIJING, May 16: A gas explosion in a Jiangxi province coal mine killed 38 Chinese miners, the largest death toll from a single mining accident in China this year, an official newspaper reported.

The price index of primary commodities increased by 18.75 per cent, and export increased by 2.98 per cent. The price index of industrial products increased by 0.44 per cent and export increased by 9.54 per cent, during the period.

According to the Export Promotion Bureau, the commodities, export target for which could not be achieved, included raw jute, jute goods, agricultural products, leather, garments and engineering goods.

### 5 Nepali troops killed in Somalia

MOGADISHU, May 16: Somalia gunmen ambushed a patrol of UN peacekeepers in Mogadishu today, killing five Nepalese troops and wounding at least two others, witnesses said, reports Reuter.

There was no official confirmation of the attack.

### Export earning

From Page 1 Col 5  
Export earning increased in all sectors except from traditional commodities and jute goods during the period.

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