

## Defence begins argument in JP Office Case

The chief defence counsel of deposed president H M Ershad yesterday stated before a special judge's court that his client neither violated any established rule, nor committed any criminal misconduct with regard to refurbishing of an abandoned house with government money, which was used as the Jatiya Party office, reports BSS.

Khandakhar Mahub Hossain said that the prosecution neither produced any written instruction of Ershad nor gave any evidence to support that Ershad was financially benefitted from that work. Hossain was submitting his argument in the special case related to spending of about Tk 82 lakh government money to refurbish the abandoned house in Dhanmandi, which was used as the central office of JP till the fall of Ershad. Public Prosecutor Abdur Razzak Khan concluded his argument Tuesday, seeking severe punishment for Ershad and two other co-accused.

Before concluding his argument for the day, the defence counsel requested Zinat Ara, Additional Sessions and District Judge (First Court), Dhaka, to allow him to make further submission, if any, after consulting his client.

The judge granted his prayer and fixed September 4 for the proceedings to resume.

Besides Ershad, former works minister Mostafa Jamal Haider and former works secretary M A Rouf are co-accused in this case.

"If we accept that Ershad had given instructions, it can still be questioned if it constituted any criminal misconduct or be considered as violation of rules," argued the defence counsel.

As a result of repair and renovation, the rent of the house had increased by about four times, a benefit which went in favour of the state, he

contended.

As for violation of rules charged by the prosecution, Hossain demanded to see the rules which had been violated by his client. He wondered if at all there are any relevant rules.

He said provision of the clause under section 5 (1) D of the Prevention of Corrupt Act of 1947, was not applicable against his client in this case because Ershad had neither been benefitted nor helped others to derive any benefit.

He further said not a single prosecution witnesses (out of 20 PWs) claimed that they had been instructed or directed by Ershad to do the job. Some said they heard it from others, while some PWs said it was not possible to be near the principal accused, leave aside getting instruction from him, Hossain added.

Hossain said since the prosecution has no written instruction at its command nor any witnesses claimed to have received any, how it could be taken that his client gave instruction for the work. He urged the court to see whether the claims of the prosecution quoting hearsay reports were admissible under the Evidence Act.

The defence counsel said that from the oral and documentary evidences there has not been a single instance of financial bungling or wrongdoing cited. Besides no witness had stated that Ershad got any financial benefit, he said.

Hossain who read out the entire charge-sheet, said there was no proof either of violation of rules and abuse of power by his client nor of deriving benefit either for himself or for others. The onus lies with the prosecution to prove the charge, he added.

The counsel said the court has to see whether government money was misused or not.

## Judgement on writ against provisions of voter registration form Aug 29

Certain provisions made by the Election Commission (EC) in the voters' registration form had deprived some 1.5 crore adults of becoming voters, the High Court was told yesterday.

Advocate A B M Nurul Islam was making his concluding submission on a writ petition filed by Aminul Gani Titu on May 28, three days after the voters' registration started, challenging certain provisions of voter registration form.

The HC Division bench comprising Justice Habibur Rahman Khan and Justice M M Ruhul Amin fixed August 29 for judgement.

Referring to a number of decisions of the supreme courts of India and Pakistan, Advocate Islam said when a question of public importance was involved the court should take appropriate action to protect the vested rights of citizens.

Referring to the provision for fixing qualifying date for voters' registration on the 1st day of January by the EC, he termed it as illegal, malafide and untenable.

He further submitted that though electoral roll rules give an eligible person to become voter either from his permanent address or temporary one, the Election Commission by directing the voters to go for enrollment to the place where they want to cast vote had violated the electoral rules.

He further said the court should not knock down the writ on technical ground that the petitioner is not an aggrieved person. Referring to the Berubari case, he said in that case the petitioner was neither a resident of Berubari union nor a resident of any neighbouring area.

## Khaleda

From Page 1

The AL General Secretary had told The Daily Star recently that his party was not interested in talks with the ruling party which, he said, breaches trust.

The Prime Minister had made her resignation offer in December last year, before the talks between the ruling party and the Opposition broke off.

The Opposition MPs belonging to the three major parties — the AL, Jatiya Party and Jamaat-e-Islami — resigned on December 28 last.

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## JS summoning Rafiq rejects Opposition's argument

Housing and Public Works Minister Rafiqul Islam Mia yesterday rejected the Opposition's plea that summoning of the Jatiya Sangsad was illegal, reports BSS.

Giving his reactions to the allegations of some Opposition leaders published in a section of newspapers Barrister Rafiq, who is also a standing committee member of the BNP, said the President was within his right in summoning Parliament.

In this context, he referred to articles 23 (4), Article 67, Article 70 and Article 56 (3) of the Constitution and said, "Parliament is elected for a term of five-year and does not become inoperative, ineffective or illegal following vacancy of any seat."

He said in the event of vacancy of any seats there are constitutional provisions to fill up such vacancies through bye-election. He said Parliament member is accountable to his voters who elected him for a five-year term. He said, "If any member voluntarily quits his Jatiya Sangsad seat he cannot expect others to follow his example ignoring the voters opinion."



Dina Azar, 22, smiles late Tuesday after being elected Miss Lebanon 95 among 22 candidates in Beirut. Dina is a graduate student of English Literature in the American University of Beirut. She win earn \$ 40,000, a new car, her diamond crown. — AFP/UNB photo

## US philosopher at CPD round-table

### Capitalism better for the poor

An American religious philosopher yesterday argued that capitalism is necessary for success of democracy and helping the poor escape poverty, but local thinkers crossed swords with him, reports UNB.

Templeton Prize laureate Michael Novak, taking part in a round-table dialogue, said capitalism is better for the poor than the other two forms of economy — socialist or the traditional Third World economy.

The second great argument is that capitalism is a necessary condition for the success of democracy, he said, initiating the parley with a presentation on Capitalism for the Poor, Capitalism for Democracy.

The Centre for Policy Dialogue (CPD), a Dhaka-based think-tank, arranged the four-hour session at a local hotel. CPD Executive Chairman Prof Rehman Sobhan moderated the dialogue, attended by politicians, economists, educationists, lawyers and private sector representatives.

Novak, a recipient of the World Economic Institute Prize in 1994, defending his arguments of capitalism's beneficial role for the poor, cited migration to capitalist

economies from socialist and mixed-economic countries of the Third World.

He also argued that a very large population in America lived in poverty or just above the level of subsistence in 1900, but most of the people are presently described as affluent.

Capitalism makes it possible for the vast majority of the poor to break out of the prison of poverty, to find opportunity, to discover full scope for their own personal economic initiative and to rise into the middle class and higher, Novak argued.

But participants from home, including Prof Rehman Sobhan, strongly opposed the view of Novak who, they said, was presenting the American brand of capitalism.

Since the history of American capitalism is of 200 years, questioned Prof Sobhan, why some 90 per cent people lived in poverty even after 100 years of working capitalism.

Jamaluddin Ahmed, a former deputy prime minister, observed that capitalism has some impact on poor, but it "sometimes created very big poverty, by accumulating wealth."

He also contradicted

Novak's another plea — the heart of capitalism is active creativity and the system ensures the rights of inventions and discovery.

Many other societies which are not capitalist invented different things. Great discoveries are not patented, only the commercial inventions are patented, Ahmed said. "Even the discovery of America is not patented," he quipped.

Noted lawyer Barrister Amirul Islam called the observations of Novak on entrepreneurship and intellectual property as "fauly." He also observed that capitalist economies stimulate migration.

Opposition capitalism's role in helping the poor, former ESCAP Executive Secretary and now an Awami League leader S A M S Kibria observed that there is not much evidence available to defend the hypothesis of Novak.

Added former Finance Minister M Saidduzzaman: "It's too early to say that capitalism is the only answer of the way of removing poverty." He said even 30 to 40 per cent of GDP is controlled by the government in capitalist countries.

## ECNEC okays Tk 173 crore projects

The Executive Committee of the National Economic Council (ECNEC) at a meeting yesterday approved a project to replace railway sleepers of Bhairob Bazar-Tongi and Chinki Astana-Kumira on the Dhaka-Chittagong track at a cost of Tk 22 crore, reports BSS.

The total length of these two sections of the track, where wooden sleepers will be replaced is 96 km, according to an official handout.

Finance Minister M Saifur Rahman presided over the meeting held in the secretariat's cabinet room.

The meeting also approved the horticulture development project to be undertaken by the Agriculture Ministry at a cost of Tk 135 crore.

The Asian Development Bank will provide Tk 88 crore as loan and UNDP will provide a Tk 12 crore grant for the project. The rest expenditure of Tk 35 crore will be met from the government's own resources. The project is expected to be completed by June 1997.

The ECNEC also approved the Bangladesh National Cadet Core Development Project at a cost of Tk 16 crore. The project is expected to be completed by June 1998.

## National children council formed

The government has constituted a 26-member national children council to ensure their rights and welfare, reports BSS.

The council to be headed by the State Minister for Women and Children Affairs will monitor the proper implementation of the convention on the rights of children.

## 25 hurt as JCD rivals clash

From Our Correspondent PABNA, Aug 23: At least 25 persons were injured in a gunbattle between two rival groups of a student organisation here this afternoon.

Of the injured, Dinu, 29, Rafiq, 20, Md Ali, 18, Moni, 20 and Hosne Ara, 12 were admitted to the Pabna General Hospital.

Two factions of the pro-BNP Jatiyatabadi Chhatra Dal (JCD) were locked in a fierce fighting at Noinamati Chaik Boliarpur in Pabna municipal area.

## Journalists wife killed in road accident

Salma Tahaboor, wife of Dhaka Bureau chief of AFP, Golam Tahaboor, died early yesterday at the Dhaka Medical College Hospital where she was admitted with



severe head injury after a road accident Tuesday night. She was 43, reports BSS.

The mishap took place when her rickshaw was hit by a minibus near Moghbazar. She left behind her husband, two sons and a daughter.

Salma was laid to rest at the Azimpur graveyard yesterday evening.

Earlier, her namaz-e-janaza was held at the Baitul Mukarram National Mosque after Asr prayers.

Her quikhwan will be held tomorrow (Friday) after Asr prayers at the Century Tower Apartment, Flat No 15-B, Moghbazar in the city.

The Bangladesh Federal Union of Journalists (BFUJ) and Dhaka Union of Journalists (DUJ) yesterday condoled the sad demise of Salma Tahaboor.

In a joint statement BFUJ president Iqbal Sobhan Chowdhury and secretary general M Shahjahan Miah and DUJ president Abul Kalam Azad and general secretary Azizul Islam Bhuiyan expressed their deep shock at the tragic and premature death of Salma Tahaboor.

The Overseas Correspondents' Association of Bangladesh (OCAB) yesterday also condoled the death of Salma Tahaboor.

In a condolence message, OCAB general secretary Shaiful Basher Chapal and other OCAB members expressed their deep sympathy to the members of the bereaved family and prayed for peace of the departed soul.

## The Midnight File

### Over 300 US troops arrive in Kuwait

KUWAIT, Aug 23: More than 300 US troops arrived in Kuwait today, the first of a 1,400-strong force that will conduct war games aimed at deterring confrontation with former occupier Iraq.

### Mastermind of suicide bombing in Israel arrested

JERUSALEM, Aug 23: Israeli agents have arrested the mastermind of the two latest suicide bombings in Israel and 29 accomplices, the head of Israel's security police said today, reports AP.

## Strike cripples Karachi

KARACHI, Aug 23: A powerful ethnic group embroiled in violent clashes with police virtually shut down Pakistan's largest city yesterday with a two-day strike call to protest alleged police brutality, reports AP.

By midday yesterday six people were killed in separate shooting incidents, police said.

They said gunmen have taken positions on rooftops and in the tangle of narrow lane ways in several neighbourhoods in central and west Karachi.

At least 12 vehicles, including several buses have been set on fire, while police and paramilitary rangers patrolled the troubled areas in armored personnel carriers and in machine-gun mounted jeeps.

The strike, called by the largest faction of the Mohajir Qaumi Movement follows a recent police crackdown on ethnic activists in Karachi's worst hit neighbourhoods.

Police, mob clash leaves 25 hurt at Rangpur

From Our Correspondent RANGPUR, Aug 23: At least 25 persons, including two police constables, were injured when police clashed with a mob at the local jahaz company corner this afternoon.

Police lobbed several tear gas shells and made baton charges to disperse a group of youths who were trying to hold a meeting violating Section 144 imposed by the district magistrate prohibiting any meeting, procession and carrying of arms at the jahaz company corner.

## Mali President

From Page 1 guard of honour. Later, the two Presidents will have exclusive talks.

The Mali President will stay at the state guest house Koroto. He will offer Jumma prayers at the Baitul Mukarram national mosque.

In the afternoon, he will lay wreaths at the national mausoleum at Savar to pay homage to the martyrs of Bangladesh's liberation war in 1971.

President Korane and Madame Korane will attend a banquet at Bangabhaban to be hosted by President Biswas and Begum Biswas in their honour.

Official talks will be held at the International Conference Centre (ICC) on Monday morning, which will cover bilateral matters as well as regional and international problems of common concern.

President Korane and Prime Minister Begum Zia are expected to discuss employment of Bangladeshi agricultural workers in the western African country and cooperation in trade and economic fields.

The talks will offer an opportunity for the two countries to exchange ideas on farming and rural development.

## Bio-gas plants

From Page 1 sense of a 'science culture' and lack of willingness to develop it.

"Science and technology should be integrated in the very core of policy formulation," said Dr Yusuf.

He also maintained that a political will was also needed to develop a 'science culture' and make the best use of locally developed technologies for the benefit of the common man.

The BCSIR which has eight institutions in Dhaka, Chittagong and Rajshahi with a staff of 1306, including 312 scientists and 33 engineers.

The allocation of funds was rather poor for such an organisation, said some senior officials of the BCSIR, adding that the allocation for research and development purposes was decreased to only Taka three crore in the current fiscal from Taka four crore in the last fiscal.

The BCSIR is presently working on than 150 research processes in various scientific and industrial fields.

## Draft report

From Page 1 formulation of a comprehensive plan for the entire country considering the overall situation of Bangladesh and developing an effective water management system so that the floods could be controlled.

"The floods in Bangladesh cannot be controlled totally and it would not be judicious, because, from the past experiences it was found that despite efforts to eliminate flood the intensity and magnitude of floods increased instead of decreasing," the meeting observed.

The participants at the meeting said that because of wrong, ill coordinated and isolated planning, some of the rivers lost their navigability, some lost their flows while most of the rivers did not undergo any river training or dredging.

They also underlined the need for maintaining the navigability of the rivers and water preservation for the best interest of the country, its economy and ecology.

They described the final draft report as a comprehensive and good one which for the first time considered Bangladesh's water and flood management. They, however, suggested incorporation of some more points.

The draft was prepared last year and was circulated among various government and non-government organisations, experts both national and expatriate, university teachers, journalists and donor agencies while the final draft titled 'Bangladesh water and flood management strategy' was prepared incorporating their suggestions and comments.

Finance Minister M Saifur Rahman, LGRD Minister Abdus Salam Talukdar, Communications Minister Oli Ahmed, Food and Agriculture Minister Abdul Mannan Bhuiyan, Environment Minister Akbar Hossain, State Minister for Land Kabir Hossain and State Minister for Planning Dr A Moyeen Khan took part in the discussions on the final draft report.

## Water levels

From Page 1 The Turag also marked a rise of 3 cm and was flowing 37 cm above its danger mark at Mirpur.

Water level of the Meghna also increased 1 cm at Bhairob Bazar and the river was flowing 37 cm above its danger level.

The Flood Forecasting Centre said that the flood situation in the northern regions of the country will continue to improve.

## Dev planning

From Page 1 umad Ali, Prashanta Tripura, A K M Abdul Kalam, S M Nurul Alam, Rasheda Akhter, Israt Ahmed, Khaled Khurum, Abdur Rahman and Abdul Wahed presented nine papers. Prof Kazi Saleh Ahmed and Dr Ruhul Amin presided over the sessions while Dr N I Khan, Dr Simen Mahmud, M Faizullah and Dr S M Hashemi participated in the discussions.

## Chandpur

From Page 1 not taken as yet in this regard.

Its demands include, allocation of Tk 5 crore from the Prime Minister's special fund, implementation of Tk 436 crore long-term project under the Flood Action Plan (FAP-9-B) and playing of necessary roles by the MPs from Chandpur for protecting the river port town.

Reading out a statement at the press conference, general secretary of the samity and convener of 'Chandpur Shahar Bhangon Upa-Committee' Amir Hussain Khan gave an estimate that property worth about Tk 100 crore had already been damaged in the Meghna-Dakatia erosion, causing sufferings to 22 lakh people.

## Two robbed in Ctg

From Staff Correspondent

CHITTAGONG, Aug 23: Two persons were robbed of Tk 2.60 lakh here today.

Police said three armed men at around 1 pm attacked one Anwarul Azim and his brother and snatched the money from them in front of the City Bank at Anderkilla. The attack came shortly after the victims had come out of the bank.

The terrorists left the scene by a baby-taxi firing several rounds of gunshots. Later police seized the baby-taxi but the driver fled.

In another incident at Terribazar, the muggers took away Tk 32,000 from a businessman, Shimul Sen. But local people managed to catch one of the two muggers and recovered the money. The mugger was handed over to police.

## Matia begins hunger strike

SHERPUR, Aug 23: A group of Awami League workers led by Matia Chowdhury today began a 24-hour token hunger strike before Nalitabari TNO office to re-assert their four-point demand including short-term loan for flood affected people of the thana, reports UNB.

Their other demands are: Erection of embankment across the rivers — Vogai and Chellakhal, removal of disparity in wheat distribution and checking in irregularities in the supply of electricity.

The demonstrators comprising more than one hundred activists also held a rally there, organised by Nalitabari Thana unit of the Awami League.

Matia Chowdhury, while addressing the rally held the ruling BNP government responsible for the miseries of the people. She also brought a number of allegations including corruption against the government.

## Hearing of Mazhar's case now Aug 27

By Staff Correspondent

A Division Bench of the High Court yesterday fixed August 27 for hearing of the Habeas Corpus petition challenging the detention of writer Farhad Mazhar following a prayer from Assistant Attorney General Shamsul Islam for one week's adjournment.

The final hearing was scheduled to be held yesterday.

Farhad Mazhar, arrested recently under the Special Powers Act, is serving 120 days' detention.

Meanwhile, one more organisation, the Jatiya Kabita Parishad and 25 people including advocates and teachers of Narsingdi district yesterday demanded Farhad's release.

## Srebrenica massacre evident

From Page 1

38,000 to 42,000 people. Draft-age males were separated from women and children and the fate of many men remains unknown. The International Red Cross has been able to visit only 164 prisoners.

US officials have shown spy photographs of apparent mass graves and accused the Bosnian Serbs of executing up to 2,700 Muslims.

Mazowiecki's 38-page report was based on interviews with international observers, UN peacekeepers, refugees, hospital officials and other aid workers.

One witness reported he was in a group of around 2,000 men who had surrendered in the village of Kravica. After drinking their own urine because of lack of water, the men were beaten and lined up in groups of 11 to 10 men at a time and shot, said the witness.

The witness said a bullet grazed his leg but he escaped after pretending to be dead.

An international observer saw "a row of the shoes and rucksacks of an estimated 100 men" on a soccer field at Nova Kasaba near Bratunac.

"Shortly afterwards he saw a tractor with a cart on which there were corpses. Approximately 500 meters further along he saw another row of the shoes and equipment of approximately 20 to 40 people. Here he saw a tip-up truck carrying corpses on an excavator," the report said.

Mazowiecki said Serbs also attacked a column of about 15,000 Srebrenica men who tried to escape to government-held territory shortly before the town fell.

The column, initially several kilometers long, was shelled and shot at. Men who surrendered were often killed, he said.