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Hearing of writs continues

'Indemnity (Repeal) Act

By SC Correspondent

1996 is a valid law and cannot be said to be unconstitutional in any way, said Barrister Syed Ishbaq Ahmed, senior most anucus curiae appointed by the High Court Division, in the hearing of the writ petitions

(retd) Shahrier Rashid and Mahmuda Rahman, mother of Col (retd) Faruk Rahman, will resume today in the division bench of the HC comprising Justice Md Mozammel Haque and Justice Md Abdul Matin.

Senior Advocate Khandker Mahbubuddin Ahmed, another amicus curiae, may place his opinion today.

"If it is presumed that all the martial law proclamations and the 5th Amendment to the Constitution were made validly. even then the ordinance can be repealed by simple majority in parliament." said Barrister Syed Ishtiaq Ahmed.

He submitted that the word indemnity was not used in the Indemnity Ordinance itself.

"The Indemnity Ordinance is nothing but a restriction, even not a prohibition to prosecute an existing offence." Barrister Ishtiaq said referring to sections 4.42 and 112 of the Evidence Act. "But the restriction was not absolute, because the language of the ordinance was not conclusive.

Voth reference to rule of evidence, he said The President's certificate specifying the killers could be conclusive evidence in indemnifying them and, if so, were done now the court could decide whether that certificate to the killing of a young boy and others who had nothing to do with the government to change the government was right or wrong.

He opined that under Article 46 of the Constitution some sort of contraventions of fundamental rights were indemnified, but the so-called Indemnity Ordinance '75 does not fall within

Jubo League

From Page 1

spot and the seven others re-

ceived gunshot wounds during

the battle lasting for about 75

12:45 pm with both sides using

situation under control using

hours due to the fighting. Both

sides claimed their stakes on

toll collection from the jetty

and nearby businesses, local

Airlines and a defence services

outfit from Sri Lanka are the

other three teams featuring in

the first round robin league

from which top two teams will

qualify for the final billed for

Mohammedan Sporting Club

will take on Sri Lankan De-

fence Service at 2:45 pm.

In today's opening match,

tear gas shells and rubber bul-

guns and home-made bombs.

Fighting began at around

However, police brought the

minutes.

connection.

residents said.

the tournament.

January 21.

3 killed, 31 hurt in road accidents By Staff Correspondent

Three persons were killed and 31 injured in road accidents in Magura and Chandpur districts vesterday

Our Magura Correspondent says. Two persons were killed and another was injured in a road accident at Ramnagar on the Dhaka-Khulna highway vesterday morning.

According to police, Marin. 27 of Sanatondi and Biplob 22 of Parnaduali under Magura district were knocked down by a truck when they were riding a motor cycle. The injured Selim, was ad-

mitted to hospital

BSS adds: one person was killed and thirty others were injured when two buses collided head-on near Kaiyarpool under Hajiganj thana of Chandpur district vesterday morning. The dead was identified as

Raina Akhtar, 40. Ten critically injured persons were admitted to the Hajiganj thana health complex.

Rebels slit throats of 19 in Algeria

BOUINAN, Algeria, Jan 13: A Muslim extremist group slit the throats of 19 people, including five girls, in separate at tacks on two villages 50 kilometres south of Algiers, witnesses said today, reports AFP.

Fourteen people, including women, teenagers and an old man, were massacred in one attack in Bouinan, near Blida, the security services said

Some of the victims had been decapitated, they said. The five young girls who had

their throats cut in the village of Ouled Chabel, a few kilometres away, were from the same family witnesses told AFP. The security services had yet to confirm the attack by mid-after-

The villagers are in the Mitidja region, a stronghold of the armed Islamic group (GIA), regarded as the most radical of the fundamentalist extremist

groups. JU admission

From Page 1 marks in the admission test enjoy the advantage of admission

to the university. The Department of English at a meeting recently resolved that the ward system is discriminatory and an immoral practice and suggested an-

nulling the system. The teachers of the English Department have requested the Vice Chancellor to withdraw the recommendations of the Central Admission Committee.

When contacted the VC told this correspondent that according to the existing rules the English Department is bound to admit the ward students.

But the departmental teachers said they might go to a court of law if the administration keeps on pressurising them.

Efficiency unit

From Page 1 late 1995 slowed the progress in this regard as the then government shifted its focus on political situation.

The issue was raised again at the annual meeting of the Bangladesh Aid Consortium in Paris late last year after the new government took over.

The government reiterated its commitment to the donors to carry out reforms to improve efficiency of the administration, the sources noted.

The commitment was, however, not matched by actions mainly because of mutual suspicion and superiority complex in a section of officials at the PM's office and this led to rejection of the proposal, they

The redrafted proposal will be sent to the PM's office shortly keeping in view the mid-term review meeting between the government and the aid club members, likely to be held sometime next month in Dhaka, the sources said.

Journalists, doctors better than politicians, police

Journalists earned a significantly better rating compared to other professionals in a public evaluation survey that, however, suggested enhancement of images of all the four groups in the eye of general people, reports UNB.

Respondents questioned for the survey by Democracywatch were most satisfied with journalists who scored 6.03, followed by three other groups doctors (5.57), politicians (3.37) and police (2.99).

The maximum attainable score was 10, according to the survey, planned and designed by Dr Syed Saad Andaleeb. Associate Professor of Marketing at Pennsylvania State University and a visiting scholar of Independent University Bangladesh. The survey report was released vesterday.

A total of 434 respondents were interviewed for the survey carried out between December 4. 1996 and January 8, 1997 among the upper and middleclass residents of Dhaka through random sampling.

The survey considered many points such as sincerity, fair ness, competence, hard work. selfishness, dependability, arrogance, knowledge, dedication, influence, patriotism, courtesy honesty, responsibility, friendliness, trust worthiness and service orientation. In an overall analysis, the

doctors earned better ratings then politicians and police from the general public. Journalists rated highest in

data show that journalists and

sincerity, fairness, competence, hard working, dependability,

groups.

adjudged most irresponsible scoring the same 5.69 points. Doctors came next with 4.88 points followed by journalists with 4.42 points.

both police and politicians scored low in the points that reflect the good quality of a human being. However, the survey report

said, each and every professional group has significant For example, even though

and 5.31 on honesty, these scores are quite low compared to the maximum attainable score. great latitude to transform

their image in the public eye, the survey revealed, and urged them to challenge themselves to attain improved ratings in the next-round polls.

confidence is clearly untenable and reflects poorly on the selected professions which, if they want to gain greater respect and credibility in the public eye, should improve their ratings, the survey reports said.

AL-BNP dialogue

Opposition workers would also come up, he added.

The stalemate in parliament was caused due to BNP's abstention from attending parliament session since November 10 to press for its 10-point demand. The demands include neutral role of the Speaker, impartial coverage of parliament proceedings by the BTV and release of party leaders and workers from detention.

Five members each from the ruling AL and the BNP would take part in today's dialogue.

The AL team would comprise Parliamentary Affairs Adviser to the Prime Minister, Suranjit Sengupta, Chief Whip of the House Abul Hasnat Mohammad Abdullah, Telecommunications Minister Mohammad Nasim. Whip Mizanur Rahman Manu and Advocate Rahmat Ali. Suranit told The Daily Star. last night.

The BNP delegation would consist of Prof Badruddoza Choudhury, Chief Whip of the Opposition Khandakar Delwar Hossain, party Secretary General Abdul Mannan Bhuiyan. Saifur Rahman and MK Anwar. party sources said.

Earlier on Sunday night, the Speaker had a meeting with

Rules at ZIA

From Page 1

with two first class magistrates has already started functioning at the ZIA to ensure enforcement of disciplinary rules. The court will function there permanently. The court disposed of 15 cases of violation of disciplinary rules in last two days. The offenders included some employees of the airport, the sources said. A crew of a foreign airline was also charged for throwing cigarette butt on the floor at the Customs Hall.

No visitor will be allowed in the first floor of the terminal building or on the driveway. Sick or elderly passengers, women travelling alone or children below 12 years of age will be allowed to bring two visitors each to the first floor, the

sources said. For hiring a taxi, microbus or auto-tempo passengers will be required to collect receipts from the designated booths at the canopy area. Passengers could complain to security men in case any driver charges higher fare.

Vehicles entering the arrival driveway will have to leave within 10 minutes. In case of any delay, they should leave the area and come back again.

ISLAMABAD, Jan 13: Pak-

istan's Supreme Court today be-

gan hearing ousted prime min-

the seven-judge bench assigned

November 13 asking the court

to the case.

Dhanmondi residence as part of his on-going efforts to bring the two sides at the negotiating

Meanwhile, the meeting between the Speaker and the ruling party leaders yesterday also rescheduled the meeting of the JS Business Advisory Committee at 7 pm today to 'facilitate' BNP's participation in it,' a meeting source said. The meeting was earlier scheduled to be held in the morning.

Asked about the meeting with the Speaker vesterday, Suranjit said that they were always for restoring 'politics of trust and consensus' in place of politics of distrust and confrontation.

"The Prime Minister is also eager to accept all of their (Opposition's) demands subject to the provisions of the Constitution and the JS Rules of Procedure," he said.

Speaker's initiative for diabehaved in a manner consistent with the norms and practices of parliamentary democracy."

None of the designated members of the BNP team for today's dialogue were available for comments since they were having parleys with party chief and Leader of the Opposition Begum Khaleda Zia at her cantonment residence till the filing

The investigation into the biggest ever gold haul at the Zia International Airport (ZIA) is vet to be completed even after four months of the smuggling incident, reports BSS.

The arrested persons are:

Two intruders

handed over

to Indian

authorities

From Staff Correspondent

engineers, who intruded into

the Bangladesh territory on De-

cember 30, were handed over to

the Indian authorities at the

the BDR of Moheshkhola out-

The were released by the

Attack on slum

Involvement of

army, police

officers alleged

recorded the presence in plain

cloth of an army major and an

assistant commissioner of po-

lice during the atrocities at the

Dholairpar Bagicha slum on

Thursday and Friday, reports

forcement of Human Rights

(BSEHR), which first brought

the incident to public notice,

said its video shows that Major

Delwar Hossain and AC MB

Masud were present in plain-

clothes during the overnight

rampage at the Dholairpar

lice pick-up van, which was

brought illegally in the area

during the armed operation

from 11 pm on Thursday to 11

am on Friday, said a BSEHR

the Army Headquarters yester-

day to draw their attention on

the alleged involvement of a

An official of the Army

Headquarters (AHQ) told the

human rights body that it had

already formed an inquiry

committee to probe the reported

incident of involvement of an

probe committee, separate

committees, formed by the

Home Ministry, have also began

their investigation into the

Armed miscreants un

leashed a reign of terror for

about 12 hours on Thursday

and Friday and looted all be-

longings of more than 400 fami-

lies while evicting them from

the slum at Dholairpar Bagicha

Women

From Page 1

in the parliament should be in-

creased to 100 from 30.

Meanwhile, besides the AHQ

major in the overnight opera-

It said the BSEHR contacted

press release vesterday.

tion at the slum.

army official.

in Demra thana.

matter.

The video also showed a po-

slum.

Bangladesh Society for En-

A human rights body

Tamabil check post today.

ritory on December 30.

court today.

SYLHET, Jan 13: Two Indian

Corded Jug Kettle
Fast boil: I litre in just over 3 minutes

Let's make things better.

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improve the traffic system in the capital were implement the 125 million US dollar Dhaka Urban Transport Project (DUTP) in the next two years with financial assistance of 95 million US dollar from the

ports BSS. Official sources said, the two Indians - Arkijen Lal and NG Muragam - who were reportedly working in a limestone factory across the border intruded into the Bangladesh ter-The villagers caught them and later handed them over to After interrogative the two engineers, BDR sent them to the Madhyanagar police of Sunamganj district. The thana magistrate of Madhyanagar sent them to the jail hajat on Jan-

> tal area and improve road safety and environment. Under the project the government will construct three

The project component will include training for transport agencies and others including public education for road safety. Civil works, materials, equipment and project support for better traffic management, improving road rehabilitation and maintenance, constructing junction overpasses and improving facilities for buses like bus only lanes, non-motorised modes like junction improvements, construction of special lanes, side walks and foot over bridges are also the major com-

\$125m project to improve city traffic system

ponents of the project

The preparation of long-

term urban transport plan for

the capital area is also a major

component of the project. In all

components there would be a

The government in a bid to World Bank, official sources said in Dhaka yesterday, re-

The key project objectives will be to reduce congestion and delays on the transport network, develop an integrated transport system to address the needs of the city population including the women, and poor, help develop a public transport system with leading role for efficient private sector-run bus system and retaining a positive role for the cycle-rickshaw. strengthen institutional, police and regulatory framework, prepare long-term plan to cope with future growth of the city in co-ordination with the future land-use planning for the capi-

fly-overs in the most congested locations.

close involvement of NGOs and community participation in selection and monitoring of sub-projects. The officials said as part of the long-term strategy the government would create opportunities for the private sector to enable them to play the major role in delivering city transport services. With the implementa-

> route management, fleet co-ordination by operators, safety and pollution standards would be maintained. They said the government would carve out a significant role for cycle-rickshaws as part of an integrated transport system which would gradually transform their role as providing feeder services to bus services, and local services on non-main roads, with traffic

tion of the project an environ-

ment would be created where

their use on the main roads. The government would give special attention to assist the rickshaw-pullers through better facilities and training through NGOs.

restrictions or special lanes for

The project will address the transport needs of the poor like provision of safe pedestrian walks and crossings, bicycle lanes and possibly targeted subsidies in bus services. The officials, however, said

the strategic orientation would be more defined and translated into time-bound action programmes early in the project preparation period.

12 injured in Sirajganj clash

SIRAJGANJ, Jan 13: At least 12 young men were injured in a clash between extortionists and businessmen at Kazipur Ghat in Sadar thana here today, reports

The clash erupted when a group of young businessmen refused to pay tolls to the extortionists at Kazipur Ghat this afternoon. The rival groups used lethal weapons during the clash that left 12 people wounded, five of them seriously.

Later, police brought the situation under control. However. nobody was arrested in this connection.

Bomb hurled

From Page 1

room of the network at about 2:15 pm yesterday. They asked the employees to open the door saying that they wanted a new cable TV connection, the owner further claimed. As soon as the gate was

opened, some of the gang members brandished fire arms and entered the premises. They hurled a single petrol bomb inside the store of the network and drove off, he said. The flames originating from

the blast swept through the cables and other accessories. Two units of the Fire Service

from the Mohammadpur station immediately attended to the fire and extinguished the blaze after about half an hour. Fire Service sources said. A case has been filed with Dhanmondi thana in this re-

gard yesterday, said police adding that none was arrested in this connection till last night.

6 hit by bullets From Page 1 (DMCH), hospital sources said.

The assailants, reportedly led by one Titu, attacked Babu when he was sitting in front of an office on DIT Road. The reason behind the attack

could not be known immediately. Hospital sources, however, quoting the victim said Titu owed Tk 1.8 lakh to Babu. Babu was attacked as he asked Titu to return his money. In another incident, three

persons received bullet injuries at the Gulistan tempo stand yesterday morning. UNB adds: A gunfight en-

sured in the area when a group attacked their rivals to establish dominance on the Dhaka District Auto-rickshaw Owners and Workers Association office at about 10 am.

The rival groups, one led by Danesh and the other by Sohrab, traded gunshots and exploded crude bombs during the hour-long clash in the busy area that left at least 10 people injured.

Of them, three with bullet wounds were admitted to Dhaka Medical College Hospital (DMCH). They were identified as auto-rickshaw drivers Shawkatuddin and Sattar, and cloth merchant Pradip Kumar Saha of Narayangani.

In another gunfight between rival terrorist groups, two people received bullet wounds at Tazmahal in Mohammadpur thana at about 11 in the morn-

Police said Sirajul and Abdul Mannan Sarder, injured in the clash over establishing supremacy in the area, were admitted to the DMCH.

BFUJ, DUJ condemn attack on newsman

Bangladesh Federal Union Journalists (BFUJ) and Dhaka Union of Journalists

Dainik Laksamaj and demanded the trial of the attackers, reports BSS.

of BFUJ (Kabir-Jahir) and DUJ (Salah-Gazi) cautioned the government that they would launch a movement if it fails to take necessary steps against such occurrences.

N'ganj

Police picked up 10 pickets from different area of the town

protesting the killing of Jubo Raju on Sunday and todays police action. The rally was presided over by Abdul Mazid, Vice President of Narayangani district BNP. BNP central leader and former home minister Abdul

They demanded immediate arrest of the killers of Nurul Afsar and threatened of "stronger

Joba Dal activist Nurul Afsar was shot dead by unidentified gunmen near the Pourashava office.

Badu, who was injured along with Raju on Sunday today filed a case with Narayanganj thana accusing 12 activist of Awami League. Habibur Rahman, owner of a sweetmeat shop filed a case accusing 8 BNP leaders and workers for damaging his

From Page 1

restoration of normalcy at country's stock market.

During the brief trading, only 19,920 shares and debentures worth Tk 47.11 lakh changed hands. Out of 59 traded issues 57 suffered losses and only two gained

During the sit-in programme a rally was held in front of the

and addressed among others by Morshed Kamal, Ali Zaman, Abdul Gafur and Zahid Hossen.

Speakers at the rally gave an ultimatum of 72 hours for taking proper initiatives to bring buoyancy in the share market. Otherwise, they vowed to start a continuous sit-in programme from Saturday next.

City water-logging

From Page 1

said that the last time WASA conducted such a massive drive was in 1991. He emphasised cleaning the sewerage every year and said, "At places we found that upto 85 per dent of the drains were filled with earth, glasses, bottles and mountains of polythene."

coordination committee of difter-logging by March.

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Prime Minister Sheikh Hasina talking to freedom fighters at an Iftar party hosted by her for them at the Gano Bhaban yesterday.

not unconstitutional'

The Indemnity (Repeal) Act. the provision of Article 46. He further submitted that by the 5th Amendment martial law and other laws made under the martial law were protected so that those could not be challenged before any court, but in the same amendment it is clearly mentioned that all the filed challenging the Act. laws made during the said mar The hearing on the writ peti tial law would continue in force tions filed separately by Col as existing law that can be al-

> amended. "Regarding the Indemnity (Repeal) Act. 1996 no question can be raised as the Parliament enjoys the authority to repeal or enact any law," he said.

tered, modified, repealed or

He further added, "The Parliament cannot repeal or enact mainly two sorts of law, one is inconsistent with the any provision of the Constitution and the other is contravening to any fundamental rights, but the Repeal Act does not fall within either of the two situations and as such the constitutionality of the Act is above any question."

Barrister Ishtiaq argued, "The concept of vested right in the criminal jurisprudence is not clear and there are two sorts of protections, one is protection against retrial in the same alle gation and the rest is to prosecute against acquittal, in the writ petitions it was not admit ted whether any such right was contravened or not as it would be risky for the petitioner and

others who were involved in the occurrences held in 1975. "But such admittance does not evolve any right and if it

were so any one will do such

risky thing", he said. In this regard, he said that parliament has the right to contravene any vested right, except in the said two situations giving it trospective or retrospective effect.

Barrister Syed Ishtiaq Ahmed referred to some decisions of England, India, Pakistan and those of the Appellate Division of the Supreme Court of Bangladesh in support of his

India eager to resume talks

with Pakistan NEW DELHI, Jan 13: India wants to resume foreign-secretarv-level talks with Pakistan to improve bilateral relations.

Indian External Affairs Minister IK Gujral said today, reports Xinhua. He said that India was willing to talk with Pakistan on any issue and that New Delhi

lateral steps to improve relations with Islamabad. India's offer to resume the talks, stalled since January 1994, was first made last June by Prime Minister Deve Gowda in his letter to the then Pakistani Prime Minister Benazir

It was repeated when Pakistani Foreign Minister Sahabzada Yakub Khan came to India last month for a conference of foreign ministers of South Asian Association for Regional Cooperation (SAARC).

far made no response to India's initiative, Gujral said. "We stand by the letter if the

Since their separation in 1947, India and Pakistan went to war three times and both sides have claimed sovereignty over Kashmir. pointed out.

From Page 1 a four-member BNP team at his like alleged repression on the

The Committee is expected to decide the duration and business of the JS session beginning tomorrow afternoon.

About BNP's response to the logue, he said, "The party has

of this report at 12 last night.

Investigation yet to be completed

However, the Detective

Abdul Awal Patwari, Abdul Haque alias Manju, Bimal Paul, Rafigul Islam alias Polash, hammad Moyezuddin alias Babu, Mohammad Farooq alias Anka Farooq, Mohammad Moniruzzaman, Mohammad Mahmudul Haque, Mohammad Nuruzzaman and a JCD central leader, Nasir Uddin Ahmed

Gold haul at ZIA

Shah Mohammad Jamal, Mo-Abdul Kader Farooq, Haji Mohammad Humayun Kabir,

portunity in the House than the male colleagues. "But the

Branch (DB) of police so far arrested 13 persons including some tycoons and a leader of the Jativatabadi Chhatra Dal in this connection.

women need to be more active in the political process". Maleka Begum said that the reserve quota for women's seats

Sigma Huda observed that women should be elected directly by the people to feel an 'inner strength' in Parliament. "Indirectly elected women MPs are used by the parties as vote banks", she added. "As in India we can think of raising the reserve quota for women MPs

> would be elected directly by the people," Sigma suggested. Dr Zafarullah Chowdhury suggested that the women's quota should be raised by 25 per cent, and they need to be elected directly by the people.

> > Prof Nazma Chowdhury

with the provision that they

moderated the seminar. Sacking of govt by Leghari

Benazir's plea for hearing by full court rejected

companying British Prime

president Ghulam Ishaq Khan.

The court restored Sharif's gov-

san, told the court today that a

full court had heard similar ap-

the assembly, and by extension ister Benazir Bhutto's challenge her government, would be reto her November 5 sacking by President Farooq Leghari, restored. She said the court had deports Reuter. layed hearing her case for nine But the court rejected Benazir's request that her petition weeks, in contrast to its prompt be heard by all of it 14 judges, a handling of Sharif's petition after he was removed by thenso-called full court, rather than

Leghari, once a political ally ernment after 37 days. of Benazir, dissolved the Na-Both presidents wielded a controversial amendment tional Assembly (lower house) tacked on to the Constitution by and dismissed her three-yearthe late military ruler General old government on disputed Mohammad Zia-ul-Haq in charges of corruption and mis-Benazir filed a petition on Benazir's lawyer, Aitzaz Ah-

to restore her government, just as it had reinstated that of her peals against the dismissals of main rival, Nawaz Sharif, governments in the past and the precedents should be followed. sacked in a similar way in Chief Justice Sajjad Ali Shah turned him down on the Benazir told reporters ac-

would suffer if a larger bench Minister oonn Major on Sunwas formed. day she was not optimistic that Shah also turned down Ahsan's request that it expunge from the record what he called

grounds that other litigants

objectionable remarks about Benazir in a petition filed on Leghari's behalf to counter her plea, though the Chief Justice invited him to make his request in writing. In November the court asked Ahsan to remove what it said was objectionable criticism of

the President in Benazir's petition. Shah has said the court will decide Benazir's case before general elections set for Febru-

Leghari said on Sunday that the elections would be stopped if the court restored Benazir's government, but said there was a strong case against this happening.

(DUJ) yesterday strongly condemned the attack on Abu Tayeb, a staff reporter of the

In a joint statement leaders

From Page 1

during the hartal hours. After the hartal, BNP held a rally in front of its local office Dal leader Nurul Afsar alias

Matin Chowdhury, Mirza Abbas and Saju Kamal addressed the

programmes" for noncompli-

Meanwhile, Badiuzzaman

Kerb marketmen

DSE building under the banner of Bangladesh Small Investors Federation. The rally was presided over by its president Moniruzzaman

About the clean up drive, he

Meanwhile, a meeting of the

ferent service organisations of the city, at a meeting last week asked WASA to take necessary measures to rid the city of wa-

No arrests were made in this had aiready taken several uni-The clash was over the domination of the jetty area, which remained shut for two

Bhutto. Hockey From Page 1 hammedan Sporting club and Abahani are to take part in the tournament. Pakistan International Airlines (PIA), Indian However, Islamabad has so

present caretaker government The teams will take part in or the next government of Pakistan wants to start talks on any issue for normalising relations,' he said.

Editor: Mahfuz Anam

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Democracywatch survey

knowledge, dedication, patriotism, courtesy, honesty, friendliness, responsibility, trustwor-

thiness and service-orienta-Politicians scored highest (7.03) on the point of selfishness and rated the most influential among the four professional

Police and politicians were

According to the survey,

room for improvement on each trait. journalists were rated 5.88 on sincerity, 5.5 on dependability

Thus all four groups have

The present state of public