

Drilling Safety

We take note of the Cabinet being expressedly distraught with the Occidental Energy Venture's 'failure' to extinguish fire at the Magurchhara gas drilling site. In the light of the repeat bellowing of fire to a height now of 40ft from the earlier simmering low-level lapping of it as if from embers, the cabinet, being the highest decision-making body of the government, has felt rightly constrained, we believe, to express its dissatisfaction over the concerned company's handling of the problem.

Without being judgemental on the issue even at this stage when the fire has recurred, suffice it to say that the government has to get involved in the whole process of redemption rather than rest content with having expressed strong disgust or dismay over the Occidental's crisis management. Granted accidents can happen with a geological phenomenon like drilling for hydrocarbon into the severely gaseous, pressured and incinerating depths, but concurrently also runs the expectation that the contractual safety obligations were documented on an internationally standardised format in the first place. And then when big and reputed companies go afield with their sophisticated rig it is taken for granted that their inventory has included the latest safety equipment to meet any emergency in the course of deep-surface drilling.

We are not assuming anything in an *ex parte* media reaction, but merely drawing the attention of all concerned to the natural recurrence of the same series of questions that had agitated the public mind during the original incarnation of the Magurchhara fire which unfortunately remain unanswered till-date. Why is it taking so long to come out with a scientifically authentic and well-corroborated explanation of the accident, far less fix responsibility for human or mechanical failure, if any?

The recurrence of fire has only intensified public concern for satisfactory answers to the plethora of questions as above. The government must get the probe committee report at the earliest to be able to clear the air and put pressure on the drilling company for improved safety performance in the light of the findings of the investigation.

Decide on the Rail-track

Construction work of the Jamuna Multipurpose Bridge (JMB) is progressing satisfactorily. The project authority hopes that the bridge can be opened for traffic by July 1 next year. We congratulate all those who are involved in translating into reality such an ambitious project more or less on schedule. But one intriguing question demands a clear answer just now. Why should the construction company be still awaiting a concrete decision on details of setting up rail-tracks on the bridge? The company has informed the government that unless it receives instructions on this, the possibility of running trains from the opening day of the bridge has to be ruled out. Similarly, there is confusion over the laying of gas pipes along the bridge because the project authority is yet to know about the size of the pipes to be used.

We understand the government is still undecided about operating trains from day one of the bridge's opening to the public. Why? Can it be a problem of funding? Hardly, it seems. For, reportedly, the Asian Development Bank and other funding agencies seem interested in financing construction of the proposed railway link. Had the government pursued the project — one that is a late addition to the original bridge plan, the present confusion could perhaps be avoided.

Since there are provisions in the final plan for both rail-track and gas supply facilities, completion of work on them along with the bridge would be a cause for double delight. Now that 88 per cent of the construction work has been accomplished the company cannot wait for these details indefinitely. It can be assumed that if these two facilities were installed soon, perhaps the task could be easier and less costly through avoidance of alteration or addition of design and reconstruction. Let the government come up with a decision soon on this matter and facilitate the construction of the rail track and the laying of gas pipeline there.

Why Transport Strikes?

Seventy people, including three policemen, were injured in a clash between students of Barisal BM College and transport workers of the town following attack on a college bus carrying students during a transport strike. The attackers were obviously transport workers who had called the strike. Such unfortunate incidents are happening frequently rather than sparingly throughout the country. Indeed, transport owners and workers have developed the habit of calling strikes on the flimsiest of pretexts, causing untold sufferings to multitudes in dire need for mobility to make a living.

The puzzle however is, how could the interests of the transport workers and owners meet at a point? Usually they should not. But in our case the entire transport sector has been a victim of criminalisation to such an extent that both owners and workers now find themselves in the same boat. This has been possible because of their common move to preserve their respective interests. Toll collection, terrorism and raising of fares at will have all become a part of the business.

In the absence of an efficient mode of alternative transport, the road transport workers are making the most of the situation, too. This should come to an end. If they cause suffering to passengers and damage to goods worth crores of taka, there should be a provision for making them compensate for it. They have no right to stop private cars or school and college buses. Why not introduce a set of guidelines or rules for calling any strike? In case of their violation, the owners and workers could be penalised.

Much Ado about Remote Control Premiership

Reports suggest that the chief executive's office is now crammed with scores of urgent official files. Whatever the level of technological developments, it would remain difficult to dispose off those files efficiently and expeditiously...

leisure, rest and recreation. Or does she?

The answer, according to the *Rules of Business* — a book that describes how public officials will conduct their official business — is a categorical 'no'. Apparently, the framers of the *Rules of Business* thought the chief executive of the government could not be an ordinary person, and he or she would never need any leave of absence for any reason. The *Rules of Business*, therefore, did not contain any provision for granting the premier a leave — even for a day.

Worse still, the country's repeatedly amended — some may say, distorted — Constitution says nothing about the premier's leave of absence or succession. Almost all executive powers of the government are vested in the position of the premier, without ever wondering about granting him/her leave or replacing him/her temporarily in case of serious illness, personal disabilities or other needs.

Obviously, under such a delicate legal framework, the premier had hardly any choice and she did what she had to do. Leaving nothing around her to legalise her leave of absence, the premier decided to leave her day-to-day job with her senior-most cabinet colleague, and take with her the office of the premier. After all, neither the *Rules of Business* nor the Constitution of the country made

any categorical statement to the effect that the chief executive of the government can't do so.

As a result, Bangladesh now has a remote controlled administration. The premier runs this rainy, muddy and cloudy country sitting in sunny, sandy and shining Florida — thousands of miles away from the here. Nothing happened so far to raise eyebrows. Millions of marooned people across the country are being helped by the armed forces, the state-run television religiously keeps the

widely considered to be necessary for keeping the policy makers mentally and physically sound for the jobs that they handle.

Of course, things are very different in the developing countries, where almost nothing works without a push at every step. As neither the legal framework nor the administrative or political machinery can take normal course, elected leaders in these countries can hardly think of passing a day without putting their personal

to his deputy premier. Apparently a second example in a democratic system is set by Bangladesh Prime Minister, but she did so just after one year in power, and without being able to transfer power to anybody.

Although vacationing in the United States for a leader of one of the least developed countries in the world sounds paradoxical, if not somewhat puzzling, nevertheless the country's Constitution and the *Rules of Business* should have provisions for the premier's leave of absence — no matter whether he or she wishes to go. The nation appears to have missed such an opportunity while making the 12th amendment to the Constitution. According to informed sources, Justice Shahabuddin Ahmed, then President of caretaker government, did propose for a deputy premiership, but both the leaders of the country turned it down. Who says they don't see eye to eye on any issue?

Anyway, until the required changes are made in the Constitution or the *Rules of Business* — or until the society accepts the need for a long western-style vacation for the premier — scopes will remain for criticisms — even for repulsive ones — to what the country's current premier already have done on the occasion of becoming grandma for the first time.

No doubt, she has every right to be with her daughter and grand daughter on such a blissful occasion. It, however, can't

be claimed that the premier had no other alternative. Perhaps she could bring her daughter home. In that case, of course, her grand daughter would have lost the opportunity to become a 'born-American', but it could give the premier the opportunity to be in close touch with the nation that is experiencing monsoonal flood, chaotic law and order situation and economic downturn.

One can also argue, while another premier can ignore the need for taking one day off for giving birth to her own baby, what entitles the premier in question to take weeks off on the occasion of her daughter giving birth to a baby? Moreover, why this country, which is known for an extremely high birth rates in the world, is not good enough for the birth of its own premier's grand daughter? What kind of standard the premier sets for the nation by treating her family so differently from the rest of the society?

Finally, the repercussions of the premier's personal visit abroad on the speed and energy of the country's administration are not insignificant. Reports suggest that the chief executive's office is now crammed with scores of urgent official files. Whatever the level of technological developments, it would remain difficult to dispose off those files efficiently and expeditiously. It will take a long time to measure the exact effect of those delays and lack of decisions, but the short-run effects of those on the administrative machinery, the involved clientele, and the overall society must be enormous.

CROSSCURRENTS

by CAF Dowlah



nation informed of hi-tech state-craft, here and there mobs still find great fun in killing 'suspected' people, and a few rumblings of the ruling circle often make inroads into public grapevine. Otherwise, everything seems quite normal.

In almost all developed countries, the chief executives are legally entitled to leaves and vacations. Like any ordinary public official, the president and the Congressional leaders of the United States routinely enjoy weekends and private vacations. Not only that, such leisure and recreations are

weight behind some issue or problem. Running the state-craft, therefore, is a twenty-four-hours a-day job in this part of the world. No wonder, Pakistan's former premier failed to take even one day off before or after delivering her own baby.

But it appears that things are changing fast. Just the other day Malaysia's premier left his country for the United Kingdom to enjoy two-month-long vacation. Before taking such a vacation after years of premiership, he, however, handed over his government's executive power

BANGABANDHU MURDER CASE

Verbatim Text of Cross Examination of Third Prosecution Witness

State defence counsels concluded the cross-examination of the third witness in Bangabandhu murder case, M Selim alias Abdul on Monday, July 21.

Following are the excerpts from the cross-examination by advocate M Hanif, state defence for absconding Abul Hashem Mridha:

Q: Did you make statement to the investigation officer (IO)?

A: Yes.

Q: When?

A: 3/10/96.

Q: How did you identify the IO?

A: I was at my workplace. Authorities informed me that police had asked me to go to 32 number.

Q: Where is the 32 number?

A: At Dhanmondi, the residence of Bangabandhu.

Q: Were you informed by letter?

A: Perhaps police told my officers by telephone.

Q: How many times did you meet the IO?

A: Once.

Q: Who did introduce you to the IO that you are Selim alias Abdul?

A: I don't know.

(At this stage, prosecution side raised objection about validity of the question.)

Q: What was the condition of Sheikh Selim and Sheikh Maruf when you met them at the hospital?

A: They were standing.

Q: Were they wounded?

A: I didn't notice.

Q: Did you ask them how they came?

A: No.

Q: Bullet struck first you or Bangabandhu?

A: First Kamal bhai.

Q: Between you and Bangabandhu?

A: First me.

Q: Who did pick you up after being injured?

A: Army.

Q: Do you know the army?

A: I can recognise if I see.

Q: Did you know the uniforms of BDR and police?

A: Yes.

Q: There was another force — Rakshi Bahini. What was their uniform?

A: I can't remember.

Q: What was the uniform of regular soldiers?

A: There are several types of soldiers — army, navy, airforce.

Q: What was the uniform of army?

A: Khaki and black.

Q: Police also use the khaki uniform.

A: Yes.

Q: Can you say what types of soldiers used to wear black uniform?

A: Generally tank force.

Q: Did you surrender when asked to?

A: Why we will surrender? We were inmates of that house. Why should we surrender to the miscreants?

Q: Whether you surrendered or not?

A: I was sitting as I was.

Q: Did you have any contact with Muhit, Rama or the bua after the incident?

A: I had no contact with Muhit or Rama. I had met once or twice with the bua when she was alive.

Q: Where did you meet the bua?

A: At her house at Mirpur 11.

Q: Did you go to attend the burial of the bua?

A: No.

Q: You are not Selim nor Abdul.

A: This is not true.

Examination by advocate Nurul Haq, state defence for Risdar (ret'd) Muslehuddin:

Q: Does your family live at your village home?

A: At Bangabandhu staff quarters.

Q: During the incident?

A: Then I was not married.

Q: How old were you during the incident?

A: Approximately 21 to 22.

Q: How many unions in your thana Mehendiganj?

A: From childhood I was in Dhaka. I can't say the number.

Q: What is the name of your own union?

A: Ullania.

Q: There was a renowned jaminder family at Ullania. What is the family?

A: Perhaps Mian Bari.

Q: There was a veteran Awami League at that house. Can you mention his name?

A: Gaffar Khan, Gaffar Chowdhury saheb.

Q: Isn't he Amirul Haq Chowdhury?

A: Amirul Haq Chowdhury was also an Awami League.

Q: Gaffar Chowdhury saheb is a journalist. Is he now in the country?

A: He is a journalist. Now he is in London.

Q: Who was the MP from the area in 1975?

A: Perhaps Mohiuddin saheb.

Q: Present MP?

A: Mungu Mia. Mosharraf Hossain Mungu Mia of BNP.

Q: Mungu Mia is not the MP of Mehendiganj, rather of Hilla Muladi.

A: The constituency covers all the areas.

Q: Is Syed Abul Hossain not the MP from Mehendiganj?

A: No.

Q: What is the name of the river flowing through Mehendiganj?

A: The Meghna on the north.

Q: And on the south?

A: I can't say.

Q: Do you have your name of the voters' list?

A: Yes, in Dhaka.

Q: How were you related with the Bangabandhu family?

A: As a servant.

Q: By whom you were introduced?

A: I lived at an uncle's house at Kalabagan. Sometimes I used to play at Dhanmondi ground where I was introduced with Sheikh Kamal and Sheikh Jamal.

Q: Who told you to stay at that house?

A: Amma (Begum Mujib). After knowing me, she told me to work there.

Q: Who is senior between you and Rama?

A: By age, me.

Q: Did you write any application for getting the job?

A: Yes.

Q: Who wrote it?

A: Receptionist Shamsu bhai.

Q: Do you have any appointment letter?

A: At my house.

Q: How were you informed about a vacant post suitable for you?

A: The then Secretary Farashuddin Saheb.

Q: How long the firing was on that night?

A: The one-sided firing continued about two hours with some recess.

Q: Did you know Syed Nazrul Islam, Kamruzzaman, Khadaker Mushatque, Manur Ali, Taheruddin Thakur who were used to come to the house of Bangabandhu?

A: Yes, I served them tea and fulfilled other necessities.

Q: Did you see them after the incident?

A: I didn't see until I left the house.

Q: Where did you go after being released from the hospital?

A: I was in Dhaka.

Q: Where?

A: At my sister's house at Bailey Road. Her husband was security of the Food Minister.

Q: Did the jeeps and tank enter the house that day?

A: The tank was near the gate. Some of the officers got down from the tank and jeeps

and entered the house.

Q: How long they were at the house?

A: I saw them when I was sent to the hospital.

Examination by advocate Mahfuz Begum Syeda, state defence for absconding accused Major (ret'd) Shariful Haq Dalim:

Q: Did you hear the name of Major Dalim?

A: Yes.

Q: What did he do during the incident at Dhanmondi 32 in 1975?

A: He was an army officer.

Q: Did you see the army personnel earlier who fired on the day?

A: I can't recall just now.

Q: How did you identify them as army men?

A: Watching their uniform, weapons and tank.

Q: Can you recognise tanks?

A: Yes.

Q: Did you see tanks at the house that day?

A: Yes.

Q: How many?

A: I saw one in front of the gate. I don't know if there were more in other places.

Q: What is your original name — Selim or Abdul?

A: Mohammad Selim alias Abdul.

Q: What is your name at your office?

A: Mohammad Selim.

Q: You fell unconscious after being wounded by bullets. You saw nothing.

A: No, I was in my senses. I went downstairs on foot.

Q: Bangabandhu gave you the job. You gave false statement in gratitude to Bangabandhu.

A: This is not true.

Examination by advocate Mokhesur Rahman, state defence for Capt (ret'd) Nazmul Hossain Ansar:

Q: Which of your hands was wounded by bullets?

A: Left hand.

Q: Do you know how to fire?

A: No.

Q: Did you take part in Liberation War?

A: No.

Q: Did the two to three people dressed in black who took him from his bedroom kill Bangabandhu?

(Court: Did they kill or others?)

A: Maybe, they.

Q: Was there anyone wounded with you when you were taken to hospital?

A: No.

Q: How did you meet Sheikh Selim and Sheikh Maruf at the hospital?

A: They came to me and asked what about the house of mamu (Bangabandhu).

Examination by advocate Krishna Pada Bhoomik, state defence for Major (ret'd) Mohiuddin:

Q: Were there separate rooms for cook, moshalchi and receptionist at the president's house?

A: Yes.

Q: Then why you were on the corridor in front of Bangabandhu's bedroom?

A: Begum Mujib and Bangabandhu had asked me and Rama to be there.

Q: You never slept in your room.

A: No, I didn't sleep in my room.

Q: Do you have any medical certificate of treatment?

A: The hospital has it.

Q: Answer to my question: do you have the certificate?

A: I didn't get scope to take the certificate.

Examination by advocate Mozammel Haq Chowdhury, state defence for Dafadar (ret'd) Marfat Ali:

Q: You are a direct witness to the incident. Why didn't you become the plaintiff instead of witness?

A: (After a pause) I couldn't

be plaintiff despite my desire as I am illiterate. I have been a witness.

Q: What is the name of the doctor who operated upon you?

A: Prof. Matur Rahman, Sir.

Q: Who did discharge your duties when you went to village home?

A: People from Ganobhaban.

Q: Do you know their names?

A: No, I didn't want to know.

Q: Do you have any citizenship or character certificate that you are Selim or Abdul?

A: Yes, I have.

Q: Can you show it?

A: If I am allowed time. Just now I can show my identity card.

Q: Was there any security personnel at the gate of main building of Bangabandhu's house?

A: Yes. There were personal security when he was a leader. After being the President, there were army and police security-men.

Q: I am talking about the main building.

A: Yes, there was an SB personnel.

Q: Always?

A: Always.

Q: What were the security personnel doing when people were entering the house firing?

A: I didn't see them entering. I saw them after they had entered.

Q: Did anyone surrender?

A: I didn't see.

Q: Did you know all the accused earlier?

A: Not all. I knew some of them.

Q: Was there any civil-dressed firing?

A: Most of them were in black uniform and the rest khaki-dressed.

Q: You didn't see anything. You are sleeping and you description is a nightmare.

A: Not true.

Q: You are an arranged witness by your nature.

A: This is not true.

Q: You used to go to give witness if you heard any such news.

A: Not true.

Examination by advocate Khalilur Rahman, state defence for absconding Capt (ret'd) Kismat:

Q: Was Bangabandhu your relative?

A: No.

Q: What were the days on August 14 and 15 in 1975?

A: It was Friday on August 15, 1975.

Q: Are you an activist of Awami League?

A: I am a government employee. I don't support any political party.

Q: What is the name of first commissioned post in the army — General? Brigadier? Colonel? Major?

A: Perhaps it is second lieutenant.

Q: Which part of your body was wounded by bullets?

A: My hand and abdomen.

Q: You were sleeping at the Bangabandhu quarters that night.

A: This is not correct.

Q: You gave false statement as Bangabandhu gave you a job.

A: Not true.

Examination by advocate Prano Nath, state defence for Major (ret'd) Ahmed Sharful Hossain:

Q: Were you at the Bangabhaban as moshalchi for all the time?

A: I got job in 1972. Since then, I had been in many places.

Q: When did you come back to Bangabhaban?

A: Approximately two years back from Natore Ganobhaban.

Q: What is the name of the post you are coordinated by?

A: Controller.

Q: Does he grant leave permission or any other?

A: I applied through him.

Q: Is your duty in shifting system?

A: Yes.



A: At my sister's house at Bailey Road.

Q: Was your service always at Bangabhaban?

A: First, I worked at Bangabandhu's house as a staff of Bangabhaban. Joining after the August 15 incident I was sent to Natore Ganobhaban. I had been transferred twice to Bangabhaban earlier. Last, I was transferred to Bangabhaban about two years back.

Q: Who was the President when you were transferred first to Bangabhaban from Natore?

A: Possibly Ziaur Rahman.

Q: Did Ziaur Rahman saheb know you?

A: I knew him.

Q: Did he know you?

A: I don't know.

Q: Did you know other Presidents — Sayem saheb, Khadaker Mushatque?

A: Yes, I knew them.

Q: Did you meet the present Prime Minister after she returned home in 1980?

A: Perhaps it was 1981. I met her six to seven days after her return.

Q: Did you meet Sheikh Rehana?

A: Yes, almost at the same time.

Q: Did you not tell her the incident?

A: I told them some of the incidents, but they burst into tears. So I couldn't complete.

Q: Did you not tell the matter to any other Awami League?

A: I can't remember.

Q: Did you meet the present Prime Minister after she had assumed power?

A: Yes.

Q: When did you meet her last? After the case was filed?

A: I met her two to three times after the case had been filed.

Q: Did you tell her that you are one of the witnesses of this case?

A: I was on duty. I gave her salam when she was passing by me.

Q: Did she not enquire about your wellbeing?

A: She was surrounded by so many officials. I saw her from a long distance. I gave her salam and she took.

Q: By whom you were briefed about your deposition to the IO?

A: My senior official asked me to meet police.

Q: You gave false statement as you were a member of the family of Bangabandhu.

A: Not true.

—UNB

Verbatim texts of further cross-examination in Bangabandhu Murder Case shall be published as soon as we may receive them.