

BANGABANDHU MURDER CASE

Verbatim Text of Cross Examination of Seventh Prosecution Witness

Continued from Sunday

The state-appointed counsels completed cross-examination of seventh prosecution witness Lt Col Abul Bashar on Monday.

Cross-examination of Lt Col Bashar by HM Nurul Hug, state defence counsel for absconding accused Risaldar Moslemuddin

Q: Where have you studied? A: I studied at Nalchiti High School and passed my intermediate as a private examinee. Q: Were you involved in politics in your student life?

: What was the responsibility of the one platoon troops deployed at Bangabandhu's res-

idence? A: The security of the then President was with the police. Army's duty was ceremonial, to help the police.

What action is taken against a soldier who fails to perform his duty properly? A : Action is taken as per army law depending on the nature of crime.

Q: If any step was taken against the platoon deployed by you for their failure in performing their duties properly?

A: No. Q: Did you seek any explanation or want to know why they failed to perform their du-

A : At that time I was not told anything. Q: Were you under arrest in Pakistan during the War of

Liberation? A: I had been under arrest till my return to the country. Q: When did you join the

Bangladesh Army? A: December 29, 1973. : Was the order verbal or written that you got to stay at

China Building? A : Verbal. Q: Would you supervise the

duty of your platoon? A: Yes, sometimes. Q: Did you go to Banga-

bandhu's residence on August A: I don't remember. Q : Could you say when you

visited Bangabandhu's house last time before the incident? A: On August 13 or 14 during arms salute. Q: You have never seen Risaldar Moslemuddin.

A: I don't know him. Q: You are not correct in saying that Risaldar Moslemuddin was involved in the incident. A: I heard about it.

Q : You did not mention in your statement when and from whom you had heard. A: I had heard it from many

IAN FLEMING'S

Garfield ®

I JUST SAW

A MOUSE!

James Bond

OF COURSE!

AHEAD.

a people. It is not possible to name them.

Q: Instead of telling the truth, you have given a false statement which you were

A: It is not true. Cross-examination of Lt Col Bashar by state defence counsel for absconding accused Major (retd) Noor:

Q: Did you have knowledge about the duty roster at Bangabandhu's house? A: That was being prepared

upon my order. Q: Would you receive report on daily duties? A: There was no system as

such, but verbally I used to be told about the duty everyday. Q: How the security people deployed at Bangabandhu's residence used to contact you on

emergency? A: Messenger was to be sent in any emergency. But, till that day, such emergency did not

Q : For your use did you have any official telephone?

Q: Whether the allotted uniform and arms and ammunition are taken back if any military person is dismissed from his service?

A: Uniform and all other things are taken back from jawans, but not from the officers as uniform and rank and badges are purchased by the

Q: Who used to report and take action against the JCO and NCOs under your command for their negligence in

A: I used to report against them and my commander used to take action.

Q: Supervising the duty at Bangabandhu's residence on August 14, did you find that al-A: I found the duty alright

everyday except August 15. Q: Where the officer who gave you permission to stay at China building used to stay?

A : At Dhaka Cantonment. Q: In which house your force used to stay at Road-31? A: I can't recollect the number of the house.

Q: Where you bound to carry out the orders and directives of your subordinate offi-

A: In that situation, I was bound. Q: Was Major Noor known to you? You knew him?

Q: Was he in job on August A : So far my knowledge goes, he was not in job at that

IT'S IN THE KITCHEN!

Q: How did you inform your CO about the death and injury of soldiers of your troop on your return to Comilla?

A: Verbally. Q: What is the system in the army to inform such thing verbally or in writing? A: If it is an immediate task, then verbally, and if it is

court of enquiry, then in writ-: Did you inform your CO of the incident at Bangaband-

hu's residence in writing? A: I told him the whole inci-

Q: Is there anything called 'President Cell'? A : I don't know. It might be named in different ways.

Q: Did you order your force to show cause for their failure in performing duty properly. A: There was no system of showcause in the army.

Q: Did you court-martial them? A: No.

Q: Wasn't it your duty to report against the negligence of duty of your subordinate offi-A: I told my CO everything.

Q : You came to Dhaka with your troops to implement a blueprint of the incident. A: It is not true.

Q: For that reason you went back to Comilla after the killings.

A: Your suggestion is not correct. Q: Your JCOs and NCOs perpetrated the killings at your

instructions. A: Not true. Q: Hinding your faults you have given false statement.

A: It is not true. Cross-examination of Lt Col Bashar by another state defence counsel who is appearing for absconding accused Major (retd) Rashed Chowdhury: Q: When did you give

statement to the IO? A: Nov 13, 1996. Q: Were you habituated to using wireless in time of occurrence?

A: Me and my force had got no wireless-set Q: You are giving false evidence.

A: Your statement is not

Cross-examination of the prosecution witness by state defence Jasim Uddin for absconding accused Lt Col Aziz Pasha: Q : Your evidence regarding the involvement of Lt Col Aziz

Pasha in the Bangabandhu

killing is not correct. A: You are not correct. Cross-examination by state defence Sree Prananath for Major Ahmad Sharful Hasan:

Q: What is the maximum distance of hearing the sound of a cannon?

A: It has got no such limit. Q: All you have said are

A : Your comment is not Cross-examination by state defence Krishnapada Bhowmik

for absconding accused Major AKM Mahiuddin : Q: Mention the name of the signatory to the order you received to perform duty at the residence of Bangabandhu in

A: Generally, adjutant signs it at the directive of CO. I cannot recollect the names. Q: What was the date of receiving the order.

1975.

A: I can't remember. Q: In that order was it mentioned how many troops would be there and from which companies they be collected?

A: The order contained all the names as well as responsibilities of the enlisted people. Q: Who was your higher authority when you came to

Dhaka? A: I was under the supervision of MSP Brigadier Mashrurul Haque while in Dhaka

Q: You could go to the spot immediately when you came to know about the incident after fazr prayers. A: The situation was not

favourable. Q: Were you the only person for whom the situation was not favourable?

A: It was same for all. Q: Was the situation favourable when the car came at 11 am?

A: It became possible for me to go there at that time. Q: Was any compensation

given to the family of the armyjawan who was killed on August A: Compensation was given from the army.

Q: On August 14, you had distributed bagfuls of money as bribe — not salary. A: It is not true. Q: Major Mohiuddin was not involved in the incident and

occurrence. A : He was. State defence counsels for Capt Nazmul Hossain Ansar and of Capt Kismat Hashem requesting to adopt the cross-examination by other state defence counsels declined to

not also present at the place of

Cross-examination of the prosecution witness. Lt Col Bashar, by Wahidul Huq. state defence counsel for absconding accused major (retd) Shariful Huq Dalim:

cross-examine the witness.

Q: Was the sound of the artillery ammunition that was used on the day of incident killings? heard from your house? A: They got it as per normal

service rules

excerpts:

the DGFI?

ment to the DGFI.

keeping signature.

Subedar Kabir.

there until evening.

1975?

the statement?

A: Not true.

Q: You heard nothing from

Advcate Abdur Razzag Khan.

defence counsel for accused Hon

Capt (retd) Abdul Wahab Joar-

dar, started cross-examining Lt

Col (retd) Abdul Bashar after

lunch break. Following are the

IO at the headquarters of DGFI

on November 13, 1996. did you

give any separate statement to

to the CID, not separate state-

Q: You made statement to the

A: No. I gave statement only

Q: How long it took to make

A: Two, three, four hours or

Q: Is it that army personnel

A: The pay officer gives the

Q: Who did sign on the pay

Q: So far I can recall, he was

A: So far I can remember.

Q: How long did you stay at

A: I left the Ganobhaban at

Ganobhaban on August 14,

about 2 pm and returned again

at about 4 to 4:30 pm. I stayed

are given payment by pay book?

payment through pay book by

book when the payment was

made on August 14, 1975?

Q: Didn't you sign?

anybody and gave a false evi-

bly I could have heard it if I had been awake. Q: Did you go around Bangabandhu's house alone after the

A: I was sleeping and proba-

incident? A: Subedar Major Abdul Wahab Joardar and Havilder Quddus were with me. Q: Was there any coordina-

tion between the army and police at Bangabandhu's residence? Q: Can you name the army

and police guards who were on duty at Bangabandhu's house on the day of incident? A: I can't name the police guards. Havilder Quddus and

his force were there from the Q: You have mentioned that a plainclothes policeman was

killed on the spot. How did you know that he was a policeman? A: I was told. Q: You went upstairs step-

ping over Bangabandhu's body. A: By the side of the body. Q: Where was Lance Naik Shamsu killed? A: I can't remember it ex-

actly, probably inside the boundary Q: Where another soldier was

A: Inside the boundary. Q: Was the patrol duty conducted only on road or even inside the boundary? A: In both places.

Q: Did you see the body of the dead soldier and of the injured A: No.

Q: You have said Major

Q: Did you tell Brig Mashrul

A: He was not available at

Q: Major Dalim did not go to

A: He went there and I also

Q: You are an arranged wit-

Cross-examination by

Mozammel Huq Chowdhury,

state defence counsel for ab-

sconding accused Dafadar

kind of your duties at the Presi-

dent House before coming from

Q: Where you aware of the

Q: How many JCO-NCOs were

A: I couldn't remember the

number. But I can recall Sube-

dar Motaleb, NCO Habilder

Kuddus, Habilder Gani, Naik

Jalil, Naik Sohrab, Lance Naik

many promotions you got till

Q: After the incident, how

A: Two - Major and Lieu-

Q: You have been promoted

twice as you are the beneficiary

of involvement in all the

killings in the August 15 coup

A: Your statement is not cor-

ness of the prosecution and had

given a false statement.

A: It is not true.

there in your battery?

Shamsu and so on.

tenant Colonel.

Dalim went to Bangabandhu's

house in an armed jeep, but you

did not tell it to the IO in detail.

Hun about the August 15 inch-

that time. Later, I came to know

at that time he was under arrest.

the place of occurrence on Au-

gust 15 afternoon and you also

did not see him.

Marafat Ali:

Comilla?

A: Yes.

A: Probably I told him.

noon.

Q: Was the salary disbursed Q: No soldier was killed in after you went to the Ganobhathe Bangabandhu residence. ban? A: None from 25-member A: Disbursement had started company was killed. The solwhen I returned Ganobhaban at

dier who was killed went there about 4 to 4:30 pm. from Ganobhaban. Q: How long the salary was Q: Where did you perform disbursed? your duty on August 15 and how A: I can't recall

Q: How many army person-A: I went to Bangabandhu nel were given salary on that Bhaban at about 12 noon and stayed there late in the after-A: All, except those who were posted to the residence of

Q: Whose duty you had per-Bangabandhu. formed there till late after-Q: How many pay clerks had come from Comilla? A: I performed my duty there A: I can't recall

and my people (force) were Q: Subedar Major Abdul Wahab Joardar along with few pay Q: Major Dalim lost his job clerks had come with the from army long before August salary. Can you remember with how many clerks?

> A: I can't remember. Q: The salary arrangement was made by the pay office of Comilla regiment. Didn't they deal with the matter? A: Yes.

Q: Commissioned ranking promotion in army is announced through gazette under the order of the President?

A: Through gazette, but not all the promotions under the order of the President. Upto major ranks, the promotion is under the jurisdiction of the Chief of Army Staff while that of the upper ranks under the Presi-

(At this time, accused Farooq was seen talking to Razzaq Khan in low volume from the

Q: The honourary promotions are given on the national A: The process of promotions begins earlier and the an-

nouncement comes on the national days. Q : From when would you know Abdul Wahab Joardar?

A : After joining a field regiment in 1974. Q: He was a subedar major since 1970. (Wahab Joardar

stood up and said since June, Since the Pakistan regime.

Q: And he was the only Bangalee subedar major. A: In artillery. Q: He was promoted to lieutenant in 1976. (The lawyer

later corrected it as 1977 after being confirmed by accused Sultan Shahriyar Rashid Khan). A: I don't know when the order was made. But I saw him wearing lieutenant badge on

Q: Listen to me. When he was made lieutenant under the

Musical soirees

at ICC

By Staff Correspondent

anniversary of India's Inde-

pendence, the Indian High

Commission in Dhaka is or-

ganising musical soirees by

leading Bangladeshi artistes

from Aug 21 to Sept 6 at the In-

dian Cultural Centre (ICC) in

Following is the schedule of

Rabindra Sangeet - Aug 21

and Sept 6, Folk Songs - Aug

All programmes will start at

6:30 pm. Passes can be collected

from the Cultural Wing. High

Commission of India, House

No: 121, Road no: 3, Dhanmon-

22. Nazrul Geett - Aug 23 and

the city, says a release.

Sept 4, Kirtan — Sept 5.

events:

On the occasion of the 50th

that morning....

Q: Was any of your NCOs or JCOs promoted after the army chain of command through gazette by the Chief of Army Staff?

A: I don't know when the gazette was notified. I saw him wearing lieutenant rank on August 15 morning.

(Razzaq Khan urged the court to record the statement about wearing the rank on August 15 morning as a voluntary answer. But prosecution lawyer opposed it saying the answer has come against the question). Q: He went on retirement as an honourary captain.

A: I heard it. Q : Was Subedar Major Joardar given salary of a lieutenant after the August 15?

A: I don't know. Q: After reaching the 32, you had seen the President died. Did you take any step to hoist the flag half-mast?

A: No. Q: To whom you talked after making phone call to Ganobhaban in between 6am and 6:30am on August 15? A: With a on duty clerk. I

can't recall his name. Q: How many times you made phone call to Ganobhaban later?

A: Several times, but I could not reach anyone.

9: Did you hear radio announcement when you were at Azimpur China building on that morning?

Q: The then army chief General Shafiullah, air chief Air Vice Marshal AK Khandakar, naval chief Rear Admiral MH Khan, BDR chief Major General Khalilur Rahman, IG of Police Nurul Islam and the incharge of

Rakkhi Bahini had expressed their oath of allegiance through radio by 10 am on August 15. A: They expressed allegiance to Khandakar Mushtaque Ahmed. I can't recall the time.

9: Khandkar Mushtaque Ahmed had been the President on the same day after the death of Bangabandhu.

(Razzaq Khan talked to Farooq in low volume). Q: They expressed their al-

legiance at 10 am. A: I can't remember the

time. Q: Did you try to reach the Army Headquarters by phone

on that morning? A: I didn't make phone call to the Army Headquarters. I phoned to the Military Secretary of the President, but I didn't get him. Later, I came to know that he was arrested

Q: The BDR Headquarters is situated beside the China Building at Azimpur.

A: Not correct. Q: There was a gate of the size BDR Headquarters. A: The gate number 2 was within about one kilometer of the building. The gate has now

been closed Q: Didn't you contact the BDR Headquarters that the President had come under at-

tack? A: No. Q: With the Police Head quarters or the control room?

A: No. I didn't contact. (Kamrul Islam, a prosecution lawyer, with a laughter told Razzaq Khan to ask about the Ansar Headquarters).

Q: A duty officer discharges his duty at the Army Headquarters round-the-clock. And he is a major ranking officer.

A: In between the closing and the beginning of the office time. Q: You had contacts over

phone with all of them.

A: This is not correct. Q: You went to Bangabandhu's house after listening the radio announcement. You didn't go earlier despite you were asked.

A: Not true. Q: Joardar saheb had come to you in a jeep and requested you to go with him. A : Not correct, he rather

told me to wait. Q: This is not true that "Subedar Major Abdul Wahab Joardar told you that what happened is happened. It would not be wise to go against the

A: He told me that.

Q: Didn't he told you that "you don't need to go right now? I will send you car later on".

A: He said. Q: What was the time when

Subedar Major Joardar came to you on that day?

A: It will be 10 to 10:30am. Q: You mentioned the time

as 10 am to the IO.

A: So far, I can recall I told him the time 10 to 10:30am. Q: Now you are telling that you went to Bangabandhu's house at about 12 noon to 12:30 pm. But you told the IO

11:30am. A : So far, I can remember I told him that I went to Bangabandhu's house at about 12 noon to 12:30 pm.

that you went there at about

Q: Did you tell the IO for whom Joardar was promoted? A : So far, I can recall I told him this.

Q: You didn't tell the 10

that "you met Havildar Quddus or Havildar Gani at Bangabandhu's house on that day and they told you about the incident."

A: So far, I can remember I told the IO.

Q: You have quoted Joardar as saying, "Begum Mujib was crying while Bangabandhu was killed. I talked to her. At that time some soldiers of lancers opened fire on her and later on others.

Joardar didn't tell you this. This statement has been fabricated and coloured by yourself. A: Joardar told me this.

Q: You didn't tell the IO that you in a shaky condition told Subedar Major Joardar that SM Saheb what had you done? A : So far, I can recall I told

Q: This is not correct that

Joardar told you : what happened is happened. You also didn't tell IO this. A : Your statement is not

Q: You have given false statement that Joardar told you

that some sepoys of lancer looted valuable properties from Bangabandhu's house. A: This is not false. Joardar told me this. Q: On August 16, you told your CO that one person of

your unit had been killed and another injured. You didn't tell him the entire episode. A: I told him the total episode.

Q: Was there any arrangement for living JCOs at Ganobhaban? A: Yes.

Q: Was it inside the boundary wall of Ganobhaban? A : Yes, inside the boundary, Q: There was also a gate. A) Yes. , thurm is he

guard at the gate? A: The guards were also from my unit. There were also police guards. Q: The meal arrangement

Was there, any, army

for the army personnel was inside the Ganobhaban. A: Yes. Q: Did Joardar begin to stay

at Ganobhaban after coming from Comilla on August 14? A: Yes. Q: There was only one jeep

at Ganobhaban. A: There was one jeep for my company.

Q: Its driver was from the

Q: There was also a truck. A: Not a truck, a pick-up.

Q: Its driver was also an army man. A : Yes. Q: Was the logbook of the jeep and pick-up maintained?

A : Yes, there was a logbook.

was maintained by the drivers. Advocate Abdur Razzaq Khan will begin the incomplete cross-examination of Col Bashar when the court re-

sumes at 10:30 am tomorrow (Tuesday) Major (retd) Shahadat Hossain will make his deposition before the trial court as prosecution witness 8 after the crossexamination of Bashar is com-

Further verbatim texts of cross examination will be published as and when received.

pleted.



Prof Latifor Rahman, Principal, Dhaka Imperial College, addressing a discussion meeting, organised in observance of National Mourning Day, at the college recently.

Weather

reports UNB.

Moderate rain forecast Light to moderate rain or thundershowers with temporary gusty wind may occur at many places over Barisal, Chittagong and Sylhet divisions and at one or two places over Khulna.

Dhaka and Rajshahi divisions in next 12 hours till 6 pm today.

Met Office also forecast that moderately heavy falls may oc-

cur at places over the coastal regions and day temperature may slightly fall over the country during the period. In an outlook for the subsequent two days, weathermen predicted an increase in rainfall activities. The country's highest temperature yesterday was recorded

35.5 degree Celsius at Sylhet and the lowest 23.5 degrees at Comilla. The sun sets today at 6:28 pm and rises tomorrow at 5:36 am.







DRAWN BY JOHN McLUSKY



New political party floated

By Staff Correspondent A new political party styled 'Shanti Dal Bangladesh' (peace party of Bangladesh) was floated in the city on Aug 15. Shanti Dai would adhere to the Islamic ideologies, said a

press release. At a meeting at its Rayer Bazar office on Friday, a 101member national executive committee of the party was formed with Rafigur Rahman Khan and Zamal Shah as chairman and secretary general respectively for a five-year

Geeti awarded

Nusrat Chow-

dhury Geeti

Shankar's In-

ternational

Competition

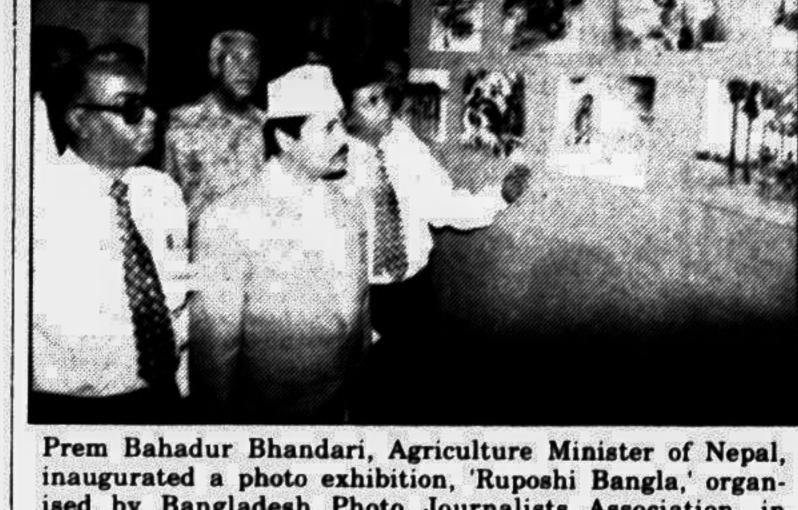
Children's



Chowdhury Lucky.

beld in India recently. Nusrat is a student of Charukaru Gallery Institute, Little Gems School and Chhayanaut. She is the daughter of Mesbahuddin Ahmed Chowdhury, a

journalist, and Mahmuda



Metropolitani

ised by Bangladesh Photo Journalists Association, in Kathmandu recently. Bangladesh Ambassador to Nepal Mohiuddin Ahmed was the special guest. Association president Md Salauddin and general secretary AKM Mohsin were also present.

Photo exhibition begins today CHITTAGONG, Aug 19: A

Munir begins tomorrow at the Alliance Francaise here, reports BSS. Editor of The Daily Azadi Prof Mohammad Khaled will open the show at 4 pm. Chittagong Photographic

two-day solo photo exhibition

of noted photo journalist Mufty

Society organised the exhibi-

pher with the French News Agency, AFP, in Dhaka. A total of 42 colour and four black and white photographs, mainly on life and nature, will be on display. The exhibition

tion, the second by Munir who

is currently a press photogra-

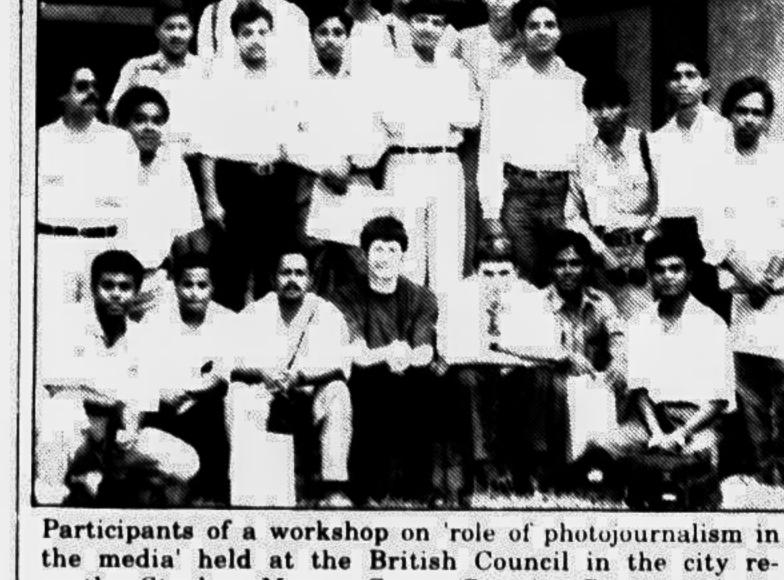
ADAB protest rally tomorrow The Association of Development Agencies in Bangladesh

(ADAB) will organise a rally

tomorrow against increasing

incidents of repression and abuse of women in the country, reports BSS. The rally will be held in front of National Museum in

(BOU) has signed an agreement with a Canadian firm for training abroad of its teachers and officers on distance education. says a press release. Under the agreement signed



cently. Stephen Mayes, Group Creative Director, Getty Images of London, conducted the workshop.

BOU signs agreement Bangladesh Open University

in Dhaka on Monday 126 teachers and officers of BOU

on behalf BOU and representative of TECSUL International Dr Claude Beaudry on behalf of the Canadian firm. Directors, deans of BOU and other officers concerned were present at the signing cerewill be trained in UK, Canada, Australia and some other mony.

Vice-chancellor Dr M Ami-

nul Islam signed the agreement

will remain open from 4 pm to 8 pm till Thursday. the city at 4 pm.