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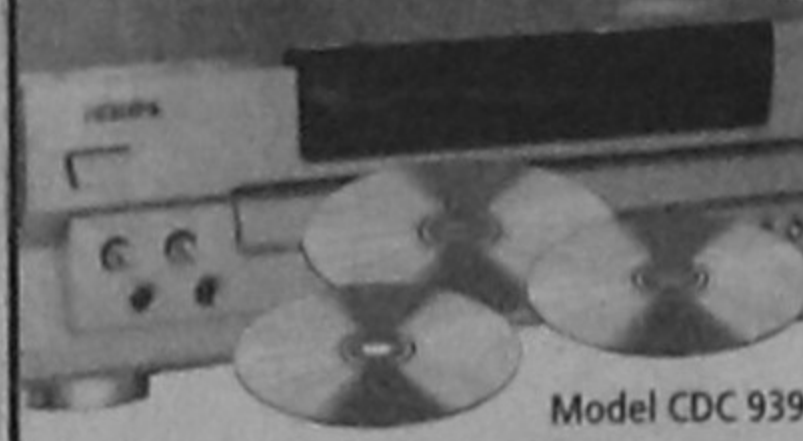
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Mutineers are immune as Bangabandhu was killed under cover of ML: Defence

Bangabandhu was killed under cover of martial law because the military rule was promulgated before his killing on August 15, 1975 and hence the mutineers were immune, reports UNB.

Defence counsel Khan Saifur Rahman made the plea in the High Court yesterday resuming his arguments for one of the 15 condemned army officers.

Citing two announcements on proclamation of Martial Law, the lawyer submitted before the court that giving retrospective effect the second announcement made on November 8, 1975 promulgated Martial Law from August 15, that is after August 14 midnight.

The first announcement made on August 20, 1975 said that Martial Law had been imposed on August 15, 1975 morning, but the second announcement promulgated Martial Law on August 15, 1975, he said.

Quoting the 4th schedule of the Constitution, Khan Saifur

said all acts done between August 15, 1975 and April 9, 1979 had been incorporated and give legal cover.

At what time the incident took place at Bangabandhu's residence was immaterial, he argued.

"It is presumed that the incident (killing of Bangabandhu) took place under cover of Martial Law, then it was legal," the defence submitted.

But, the trial court has done a 'great mistake' by reaching a decision contrary to it.

Drawing evidences, Khan Saifur further told the court the killing occurred after the cup had taken place "and the trial court failing to understand the lawful significance reached a wrong decision and punished the accused wrongly."

Interpreting the Indemnity Ordinance, the defence counsel said in the ordinance execution of a plan was mentioned. And the Indemnity Ordinance was a

legal act. "So the issue of executing a plan within the Ordinance can't be wrongful."

But the trial court (thinking the plan of a law as conspiracy has given a "wrong verdict," he submitted to the court.

He said Khandaker Mushatque Ahmed is an accused in this case and promulgated Indemnity Ordinance. "So even after the ordinance was repealed and became ineffective as law, still remained alive as a document signed by Mushatque."

This document has said under this law (Indemnity Ordinance) he or any of his authorized persons who would execute this plan would be exempted from charges.

Khan Saifur told the court that his client condemned prisoner Lt Col (retired) Syed Farooq Rahman was not involved in the August 15, 1975 incident and he was not a certificate holder. So he pleaded not guilty.

As per Indemnity Ordinance,

plan executors were issued with certificates, which Khan Saifur said was repealed with the Indemnity Ordinance (Repeal) Act, and Farooq was not a certificate holder.

There is no such evidence that the accused were given certificates to execute the plan, which proves that they were not involved in the incident.

The lawyer told the court that the Investigating Officer of this case had prayed to confine an accused — Lt Col (retired) Mohiuddin — to a cell, which was tantamount to punishment to an under-trial prisoner. "And it proves that the prosecution was vindictive."

Earlier in the morning session of the appeal hearings on the Bangabandhu Murder Case, the defence counsel told the court that the video cassette could not be admissible in the case as evidence as none of the producers or directors or any one who was present during the making was brought as witness.



Senior lawyers including President and General Secretary of the Supreme Court Bar Association met Prime Minister Sheikh Hasina at the Ganabhaban yesterday. — PID photo

A wall blocking the view of greenery

By Staff Correspondent

Defying all aesthetic aspect of town planning, Bangladesh Air Force (BAF) is raising a ten-foot high wall along Rokeya Sharani beside the old airport at Tejgaon in the city.

Town planners, architects, engineers, environmentalists and commuters said that by raising the wall, the authorities have not only destroyed the beauty of the vast open space of the old airport but also deprived the city dwellers of a view of greenery in a city where green patches are already scarce.

On-duty policemen at Rokeya Sharani said the brick wall may contribute to increase in crime rate in the area, particularly within the enclosed boundary of the old airport. They said, as the wall will obstruct vision of thousands of commuters, criminals will take advantage of this and carry out their activities.

Professionals said the wall will also affect landscaping of the area around the Bangabandhu Convention Centre now being constructed. Hundreds of foreign dignitaries who will come to Dhaka to attend the NAM Summit next year will only see a concrete wall stretching from north to south of the Rokeya Sharani, they said.

Nowhere in the world brick walls are constructed in this way to block the vision of such a rare landscape in a city," said an architect.

Another architect and town planner said that all over the world, see-through fences are scientifically proven to be acceptable. He cited the example of the White House in Washington DC, which is surrounded by a see-through fence, not a brick wall.

A top BAF official, when

See page 11 col 8

Gunshots rock DU campus

By DU Correspondent

Gunshots rocked the Dhaka University campus Saturday night when armed activists of the ruling Awami League's student front Bangladesh Chhatra League (BCL) fired on the campus.

No casualties, however, were reported during the incident which continued for about half-an-hour. At least 40 rounds of bullets were fired.

Campus sources said that the members of BCL faction Bagherhat group started firing from Mohsin Hall soon after two gunshots were fired from adjacent Kataban market area at about 11:45pm.

Panic gripped the residents of Hazi Mohammad Mohsin, Surya Sen, Sir AF Rahman, Kabi Jasimuddin, Bangabandhu and Ziaur Rahman halls during the incident.

Activists of Bagherhat group claimed that Shariatpur-Madaripur group tried to capture Mohsin Hall. The opponents denied the allegation.

Activists of Bagherhat group accusing the rivals said the attack was launched on the hall from two sides.

Police later raided Mohsin and Surya Sen halls and picked up 16 persons under section 54 and taken them to Ramna thana. Fifteen of them were released as there were no specific charges against them.

Ramna thana said one Rafiq, who was arrested from Mohsin Hall for illegal staying at the hall was sent to the CM-M's court yesterday.

DU authorities yesterday formed a four-member probe body to investigate the firing incident.

Decision to publish Janakantha on Aug 16 protested

By Staff Correspondent

Sangbadik-Sramik-Karmachari Oikya Parishad yesterday protested the decision of the Daily Janakantha authorities to publish the daily on August 16, said a press release.

Terming the decision "unilateral", the Oikya Parishad has urged all journalists, staff and employees of the Daily Janakantha to abstain from work on August 15, the National Mourning Day.

The Oikya Parishad leaders at a meeting at the National Press Club yesterday said that violating all the existing norms and practices, the owner-editor of the daily is making attempt to create anarchy. The Oikya Parishad warned the Janakantha authorities of announcing tougher programmes against them.

The Janakantha authorities have violated all the conditions of the earlier agreement by taking the decision of working on August 15 — a national holiday and to bring out the daily the next day, they said.

During the meeting yesterday

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One gets life term for killing teenage girl in Magura

From Our Correspondent

MAGURA, Aug 13: District and Sessions Judge's Court today sentenced a young man to life term for killing a girl in October last year.

The convict, Mizanur Rahman, 17, son of Shamsul Huq Shikder of village Binodpur in Mohammadpur upazila, was also fined Tk 5,000, in default to suffer one year more vigorous imprisonment.

According to prosecution, Mizan stabbed his 'girl friend' Anjana Khatun, 13, daughter of Akbar Biswas of the same village on October 27, 1999 following an altercation. Anjana died on way to hospital.

The let-

Power accord with foreign co Body to probe charges against ex-PDB chief

By Sharier Khan

An inter-ministerial committee has been formed to probe involvement of former PDB Chairman Quamrul Islam Siddique in "violation of rules of business, nepotism and irregularities" in a power project rehabilitation agreement with a foreign company.

Sources said the nine-member committee headed by Joint Secretary of Power Division Mahbub-Ul-Alam includes representatives from Economic Relations Division (ERD), PDB, IMED (Implementation, Monitoring and Evaluation Division), Power Cell of Energy Ministry and Finance Division.

The committee will probe "gross violation" in three areas during May 1 last year to May 31 this year, the tenure of the former chairman.

The areas are: (a) Whether the PDB authorities directly contacted any donor country or any donor organisation, (b) in which areas the PDB violated the 'rules of business' and what were the violations and (c) whether PDB's tender committees were formed as per rules and what were the professional profiles of members of those committees.

Questions have been raised about alleged personalised manners in which Quamrul Islam Siddique took decisions and ran the PDB, the sources said.

"The government took a serious note of his actions in May last year when he pushed PDB to sign a 17.7 million US dollar agreement with Technopromexport, Russia for rehabilitation and modernisation of Ghorashal power plants 1 and 2 without approval of ERD. In the process, the chairman also disregarded the reservations expressed by the PDB Secretary" one source said.

When ERD Secretary Dr Mashur Rahman came to know about the deal in mid-June, he issued a letter to Power Division Secretary Arbind Kar. The let-

ter said, "The ERD, on behalf of the government, did not sign this credit agreement and therefore, this credit can not be repaid from the power division's budget allocation."

He also suggested the Power Secretary to look into whether PDB would take the responsibility of repayment of the loan, whether it would be considered a government loan, and if the PDB loan is turned into government liability, what should be the procedure. Formation of the probe body followed this letter.

The committee in its first meeting late last month decided to collect information and documents on PDB's attempts to directly contact donors including the Asian Development Bank. Profiles of members of the tender committees will be scrutinised.

The probe body will meet again after information and documents are collected. Technopromexport and another foreign company bid for the project.

The PDB Secretary had officially stated that Technopromexport did not properly submit bid documents including an appropriate bid bond, guarantee from a local bank and certificate on any power plant rehabilitation work in the past, the sources said.

Shikder, 17 others acquitted in explosives case

From Staff Correspondent

KHULNA, Aug 13: Ershad Shikder and 17 others were acquitted yesterday in a case recorded with Khalishpur thana under Explosives Substance Act on March 6, 1995.

The judgement was delivered by Hasan Iman, judge of the Special Court.

The judge acquitted the accused as their guilt was not proved beyond doubt.

Nine of the accused were produced in the court while 11 are still absconding. Another accused Teko Aziz was killed allegedly by Shikder in 1998.

The prosecution story in brief is that Ershad Shikder and others accused in the case allegedly stormed into the house of Yunus Ali at Skid Ghat on March 3, 1995 and looted all valuables by exploding hand grenades.

Twelve prosecution witnesses were examined.

This is the first case in which Shikder and some of his armed cadres have been acquitted by the Special Court.

The Special Court has sentenced Shikder to death in four cases so far tried.

The judgement in Siraj Murder Case will be delivered on August 16, court sources said.

Second day of strike at RU

From RU Correspondent

RAJSHAHI UNIVERSITY, Aug 13: No academic or administrative activities took place on Rajshahi University campus today, the second day of an indefinite strike called by the opposition BNP's student wing Jatityatabadi Chhatra Dal (JCD).

JCD called the strike on the campus protesting Aug 9 clash involving police, JCD and BCL activists, and general students that left about 150 injured.

JCD's four-point demand is resignation of the Vice Chancellor, Pro-Vice, Proctor, withdrawal of Police from the campus, expulsion of BCL cadres from the university and compensation for the victims of the clash.

No classes or examinations were held today. Administrative buildings, departmental offices and hall offices were shut. The university buses were off the road.

However, JCD and the agitating general students brought out a separate procession on the campus. The general students urged the varsity authorities to convene syndicate session immediately.

Meanwhile, the university authorities have sent a letter to the JCD leadership inviting them for a dialogue today at 7:30 pm. JCD did not respond till the filing of the report at 7 pm.

The PM went on, "It is really disappointing that anti-liberation forces are hatching conspiracy to kill me and unseat the government for saving the self-confessed and convicted killers, who violated all norms of human rights by shooting

PM at a discussion in city Injustice will grip the society if wrong-doers are not punished

By Staff Correspondent

Prime Minister Sheikh Hasina has said crime and injustice will grip the society if wrong-doers are not given exemplary punishment.

Addressing a discussion on "Bangladesh in the spirit of Liberation War" in the city yesterday, she said peace, discipline and stability can be ensured in the country only through exemplary punishment of killers and terrorists.

The discussion held at the Engineers Institution was organised by Bangabandhu Parishad to mark the 25th anniversary of the death of Father of the Nation Bangabandhu Sheikh Mujibur Rahman.

Sheikh Hasina said, "Those who killed the Father of the Nation along with his family members and violated human rights were rewarded with jobs, wealth and opportunity to do politics."

The PM went on, "It is really disappointing that anti-liberation forces are hatching conspiracy to kill me and unseat the government for saving the self-confessed and convicted killers, who violated all norms of human rights by shooting

children and women and four national leaders in jail."

The opposition is out to protect the killers and threatened to oust the government by 'staging another August 15', she said. "Do they believe in democracy or in human rights?"

Recalling the assassination of Bangabandhu on August 15, 1975, Hasina said Indemnity Ordinance was promulgated to protect the killers. "The defeated forces of 1971 took revenge by killing Bangabandhu."

If injustice is justified in such a way, how would the commonman get security of life?" she asked.

"We established independent Bangladesh under the leadership of Bangabandhu after a long struggle. He never negotiated with evil forces even when he was in the jail. For this, several cases were lodged against him," Hasina said.

Bangabandhu could have become president of Pakistan if he had been selfish, but then Bangladesh would not into being, she noted.

The PM recalled that after coming back from Pakistani jail on January 10, 1971, the Father of the Nation concei-

trated on rebuilding the war-ravaged country. He wanted to establish a democratic, secular and economically strong nation. He had almost reached his goal in only three and half years of his rule.

Hasina added the anti-liberation forces killed Bangabandhu when the country was on the path of steady development.

Since then, the country's history has been distorted and people of all walks of life have been suppressed a lot, she said.

The Parishad presented a declaration at the discussion meeting, which was read out by Mahbubuddin, Bir Bikram.

Chaired by Presidium Member of the Parishad Justice KM Sobhan, the discussion was also addressed by Parishad general secretary Dr SA Malek, National Professor Kabir Chowdhury, Syed Shamsul Haq, MR Akhter Mukul.

Lawyer magistrates to be appointed for quick disposal of under-trial cases

The Cabinet Subcommittee on Law and Order at a meeting yesterday decided to appoint lawyer magistrates in different courts of the country for quick disposal of the under-trial cases, reports UNB.

The meeting with Home Minister Mohammad Nasim in the chair also reviewed the progress of some recent sensational cases.

As criminals were going unpunished due to lack of proper investigation and faults in investigation and trial process, the meeting laid emphasis on coordination of police administration and judiciary.

Committee members Education Minister A S H Sadek, Water Resources Minister Abdur Razzak, Industries Minister Tofail Ahmed, Agriculture Minister Begum Matia Chowdhury, Science and Technology Minister Mohammad Nooruddin Khan and Law Minister Adv Abdul Matin Khasru attended the meeting.

Security stepped up in Kashmir Six soldiers killed, 40 injured in mine blasts

JAMMU, Aug 13: In stepped up violence ahead of India's independence Day, two land mines exploded under buses carrying paramilitary troops in Kashmir today, killing six soldiers and injuring 40 others, police said, reports AP.

Three other explosions occurred in the Kashmir Valley, the seat of an Islamic insurgency that has left 25,000 people dead in the last 11 years, and two boys were injured. No damage was reported.

Both land mine blasts took place at Kud, a village 80 kilometres north of Jammu, the winter capital of Jammu-Kashmir state.

Four soldiers of the Border Security Force were killed on the spot in the blast on the Jammu-Srinagar Highway and 34 were injured. One soldier died later in a hospital, said a police officer in Jammu, who cannot be identified under

briefing rules.

Soldiers immediately halted traffic and looked for land mines along the route. Two hours later when traffic resumed, another blast went off, about 1 kilometre from the blast site.

The second blast damaged a bus and killed one soldier and wounded seven others, police said the second blast was also caused by a land mine.

Police officials in Jammu and Srinagar said both land mines were apparently triggered by a remote control device.

Of the 33 soldiers hospitalised at the base hospital in Udhampur, doctors said 10 were in critical condition. In the second blast, seven soldiers were hospitalised.

The bus was part of a convoy carrying security personnel to Srinagar, 300 kilometres to the north, ahead of Tuesday's Independence Day celebrations



Bishwa Shahitya Kendra President and renowned TV personality Prof Abdullah Abu Sayeed and others spraying insecticide in the city yesterday. A citizens' body led by Prof Sayeed launched an awareness campaign about dengue infection and its prevention. Picture also shows (extreme L) magician Jewel Aich, actress Shireen Bakul, actor Khairul Alam Sabuj and economist Dr Atiur Rahman. — Star photo

Dengue awareness campaign in city

By staff correspondent

A citizens' body led by President of Bishwa Shahitya Kendra Prof Abdullah Abu Sayeed yesterday launched an awareness campaign in the capital about dengue infection and prevention of it.

According to a press release a group of artistes including magician Jewel Aich, TV and stage performer Khairul Alam Sabuj, actress Shireen Bakul and economist Dr Atiur Rahman took part in the campaign.

The group boarding a vehicle distributed leaflets at different points in the city. There were fountains and banners on the vehicle with various information on the dreaded disease.

Members of the group sprayed insecticide in some areas and appealed to people to join the campaign to continue for seven days.

They went to different educational institutions including Dhaka College, Notre Dame College and Ideal College and addressed students.

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WE MOURN

We are deeply grieved at the sudden demise of **Prof. (Dr.) Syeda Feroza Begum**, Director and Ex-Chairman of the Board of Directors of Uttara Bank Limited who died on 11th August, 2000 at 11-00 A.M. (Inna Lillahe wa Inna Ilahe Rajewoon).

The Board of Directors, Officers and Employees of Uttara Bank Limited pray to Almighty Allah for the salvation of the departed soul. May Allah give strength to the members of the bereaved family to bear the loss.

Uttara Bank Ltd.

Editor: Mahfuz Anam

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Condolence

We are deeply saddened at the demise of leading Gynaecologist, Dr. Syeda Firoza Begum. She played a commendable role in uplifting the medical profession, gender issues and reproductive health services.

Dr. Syeda Firoza Begum has been a member of our Board of Directors since 1972. She made a major contribution to the growth of our Company.

Let her soul rest in peace.

Chairman & Board of Directors
Renata Limited