

Rail tracks for Jamuna Bridge

# Costly deal under supplier's credit raises questions

SHAHRIAR KARIM

A Bangladesh Railway (BR) move to procure rail tracks for the Bangabandhu Bridge railway project through unsolicited bidding under a high interest-bearing supplier's credit has raised questions in different quarters.

Despite reservation of Bangladesh Bank, Economic Relations Division (ERD), Finance Division of Finance Ministry and Planning Commission about the procurement deal under supplier's credit and without any competitive bidding, BR and Communication Ministry opted for procurement of 24,500 metric tons of rail tracks (90 pounds, A category) from a Spanish company ACERALIA Products Lagos, s.a., according to sources.

In total disregard of different ministries' opinions and violation of an ERD provision, the proposal, after discussion at the Hard-term Loan Committee in March, has been referred to the Cabinet Purchase Committee for approval.

As per an ERD provision made in 19995, there should be open competitive bidding in procurement of goods for

any project under supplier's credit.

There are also allegations that BR is favouring the Spanish firm on pressure from some influential quarters.

According to the sources, BR had received unsolicited offers from five companies. Basing on those, the Communication Ministry and BR had processed procurement of the tracks. ACERALIA's proposal was received by BR after the cut-off date set by the ERD. Moreover, ACERALIA was given the chance to revise its proposal later.

ACERALIA had first quoted the price in Dollar and offered 7.69 per cent interest rate under suppliers' credit. Later, in its revised proposal, it quoted the price in Yen and offered 2.25 per cent interest rate including bank management fee and twelve years' repayment period.

However, according to sources in Planning Commission and ERD, the revised offer in Yen is not lucrative so far as the interest rate and repayment period are concerned.

SEE PAGE 11 COL 1

# PSA violates Article 33 of Constitution, court told

SPECIAL CORRESPONDENT

Hearing on the writ petition challenging validity of the Public Safety Act (PSA) continued at the High Court yesterday with the petitioner's lawyer Barrister Abdur Razzak describing it unconstitutional as it violates Article 33 of the Constitution.

"It is not a law within the meaning of Article 31 of the Constitution as it denies bail to a citizen", Razzak said resuming his argument on the second day.

Substantiating, he said, as per Article 26 (Sub-clause 2), any law contrary to fundamental rights guaranteed by Article 33 would be considered repealed.

The counsel for Abdul Wadud and other Chhatra Shibir activists from Dinajpur, quoting from the verdict on the Eighth Amendment to the Constitution, said that the amendment was repealed because it was inconsistent with rule of law.

In this connection he further said parliament can not take away the judicial power of magistracy. As per constitutional provision, a magistrate can send a person within 24 hours of arrest to prison or free him. But PSA provides that bail cannot be granted to an accused during investigation.

Section 16 (2) of the PSA which prohibits bail before submission of police report violates Article 33(2) of the Constitution because magistrate's power to exercise his judicial mind independently has been taken away, which is violation of Article 26(2) of the Constitution and the principle of rule of law,

SEE PAGE 11 COL 6



The second Buriganga Bridge in the city is all set for inauguration on May 20.

# PM returns today

UNB, Dhaka

Prime Minister Sheikh Hasina will return home today after attending the 3rd LDCs conference in Brussels.

Hasina led Bangladesh at the conference and spoke at its opening session as spokesperson of the LDCs demanding debt relief, increased aid and investment in the least developed countries.

On her return, she will address a press conference at Ganabhaban today.

# 4 murdered in Bagerhat in a week

STAFF CORRESPONDENT, Khulna

Four persons were murdered in separate incidents in Bagerhat district in the last one week.

Besides, a college teacher and a bank official were severely injured in armed attacks by miscreants during the same period.

According to police, businessman Mujibar Rahman, 60, of village Shahpur under Fakirhat thana was killed on Sunday. His murder was a sequel to a long-standing dispute over land with some neighbours and distant relatives.

One Rano Devnath, 50, of village Rahimabad under Sadar upazila was killed on the night of May 10. Police recovered his body from a tank in the same village.

SEE PAGE 11 COL 3



Leader of the Opposition in Parliament and BNP Chairperson Khaleda Zia makes a point during a meeting with business leaders last night. Outcome of the meeting could not be known till 11pm.

## News Analysis

# Mamata at crossroads

PALLAB BHATTACHARYA, New Delhi

"Bodley din, paltey din. Hoy ebar noy never (Change the government, now or never)."

By coining these slogans, maverick Trinamool Congress leader Mamata Banerjee considerably hiked the stakes and hype as she took on the redoubtable organisational might of West Bengal's ruling Left Front in the just-concluded assembly polls. Evidently, her slogans failed to motivate an overwhelming majority of the electorate for a change. Now, it is time for Mamata to do some soul-searching instead of blaming others for her party's performance in the polls.

There were not many takers outside Trinamool for her allegation yesterday that the government of Prime Minister Atal Behari Vajpayee had "influenced" the Election Commission to "ignore" the "large-scale rigging" by the Marxists in West Bengal.

What went wrong with Mamata or,

for that matter, Trinamool Congress? Why did the party, which fared well in the parliamentary elections in the state in 1998 and 1999, put up such an unimpressive show in the assembly elections? Has the law of diminishing return caught up with Trinamool? Trinamool's performance in assembly election has brought under closer scrutiny Mamata's leadership abilities and some of her decisions which appeared to have

SEE PAGE 11 COL 7

# Quest for action plan against hartal in Ctg

STAFF CORRESPONDENT, Chittagong

Business-professional leaders yesterday formed a committee with a view to finding an alternative action plan against the destructive activities like hartal in the port city.

The 17-member Terrorism and Economic Anarchy Resistance Committee was formed with representatives of Chittagong Chamber of Commerce and Industry (CCCI), BGMEA and some other trade-related and professional organisations.

The new committee comprises chamber Vice-president MA Latif as chairman and BGMEA first Vice-presidents as cochairman.

An Advisory Board comprising noted scientist Prof Zamal Nazrul Islam, Editor of Daily Purbokone Taslim Uddin Chowdhury, CCCI President Saifuzzaman Chowdhury, CCCI Director Farid Ahmed Chowdhury, Principal of the Sun Shine Grammar School Safia Rehman and some other dignitaries was also formed.

# Road accidents kill 5 in three districts

STAFF CORRESPONDENT

Five people, including a minor girl were killed in separate road accidents, in Magura, Naogaon and Rajshahi districts yesterday.

Of them, two were killed in Magura, two in Naogaon and the other in Rajshahi.

Our Magura Correspondent report: Two persons were killed and 17 others injured in a bus-truck collision on Magura-Faridpur highway, at Bagot, 20-km off Magura town.

The dead were identified as Abdur Rashid, 40, and Jahangir Alam, 35, of Bheramara upazila in Kushtia district.

Police and witnesses said, the accident occurred at about 10 am when a Kushtia-bound bus collided with a truck coming from opposite direction, killing the two bus passengers on the spot.

The injured were admitted to Magura Sadar hospital.

Our Rajshahi Correspondent writes: Two people were killed and seven others injured in a road accident in Naohata area under Mohadevpur upazila of Naogaon

SEE PAGE 11 COL 8

# Dacoity at Lalbagh

STAFF CORRESPONDENT

Armed robbers looted gold ornaments, Tk 1.2 lakh and other valuables from a residence in the city's Lalbagh area yesterday afternoon.

Police said a gang of five entered the house of Khalilur Rahman, a plastic factory owner, on the fourth floor of a four-storey building at Orphanage Road at about 1:15 p.m.

When Rahman's son opened the door on hearing the calling bell, the robbers entered the house and held the members of the family hostage at gunpoint.

The gang took away 35 tolas of gold, Tk 1.2 in cash and other valuables from the house confining the family members into a room. The gang went to and left the spot in the same scooter, said police.

A case was filed with Lalbagh police in this regard.

# Bargaining for JS seats Good sense to prevail, assure Jamaat, IOJ

REZAUL KARIM

BNP's alliance partners have indicated their willingness to act reasonably in respect to sharing of seats for the upcoming parliamentary polls.

Sources said BNP's alliance partners Jamaat-e-Islami, Jatiya Party (M-N) and Islami Oikya Jote have agreed not to put any "illogical" pressure on the main opposition in the course of bargaining for seats.

Although no formal date for discussing the seat-sharing issue has yet been announced, BNP Chairperson Khaleda Zia has reportedly instructed party secretary general Abdul Mannan Bhuiyan to initiate dialogues with the allies to resolve the issue by the end of this month.

BNP sources said after Ershad's defection and expulsion of two BNP hardliners from the party, wrangling over seats has eased considerably and the allies have been acting much more reasonably.

Talking to The Daily Star, leaders from Jamaat, JP (M-N) and IOJ expressed their resolve not to make any "unrealistic and overly ambitious" demand with BNP for the

greater interest of the unity of the alliance.

The alliance leaders however admitted that an agreement on seat sharing would be tough to reach in one or two sittings but are nevertheless very optimistic about finding a unanimously acceptable formula.

Also in order to avoid possible discontent with the seat-sharing formula, the alliance leadership has decided not to disclose it before the poll schedule is announced.

Sources said party position, strength and popularity of candidates and their rivals and other important indicators including field-level surveys would be considered in distributing seats among the parties.

Meanwhile, Jamaat leader Abdul Qader Mollah categorically denied press reports that Jamaat placed a list of 50 seats for the party. "We do not believe in block allotment of seats as it is totally unscientific. We shall arrive at an agreement in this regard through discussion," he added.

Another Jamaat leader ATM

SEE PAGE 11 COL 6

# EC to consider relaxation of rules of origin for LDCs

UNB, Brussels

European Commission President Romano Prodi has said the EC has noted the request to amend the rules of origin for the benefits of LDCs.

"European Commission always considers the interest of LDCs," he said at an exclusive meeting with Prime Minister Sheikh Hasina at the EC headquarters in the Belgian capital yesterday afternoon.

Prodi said EC will send an election observer team during the next election of Bangladesh.

Briefing newsmen, EC Ambassador to Bangladesh Antinio de Suza Menezes said EC will be delighted to be in Bangladesh during the election.

During the meeting, the EC president recalled his visit to Bangladesh and praised the economic development made by the country in recent times.

The prime minister requested the EC chief to relax the rules of origin to facilitate free access of Bangladeshi products to Europe and other developed countries.

SEE PAGE 11 COL 5

# Yasmeen murder: Defence concludes argument

SPECIAL CORRESPONDENT

Hearing on Yasmeen murder case continued before the Death Reference Bench of the High Court yesterday with the defence side arguing that the prosecution had failed to provide enough evidence to justify death sentence to three policemen in the case.

The three policemen were accused of rape and murder of 17-year-old Yasmeen in Dinajpur in August 1995.

Concluding his argument, defence lawyer Nazrul Islam Talukder submitted that the incident had sparked off a mass protest, which influenced the trial court's judgment.

After submission by another defence attorney Ms Nilufar Yasmin, state prosecutor Deputy Attorney General Shamsuddin Choudhury Manik made

SEE PAGE 11 COL 7



**Will journalist Tipu remain disabled?**



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