

Thousands link hands

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The number of participants is that huge, the programme set a world record in anti-government show-downs.

According to the online Encyclopaedia, the longest human chain in the world -- 595-km -- was formed on August 23, 1989 through Estonia, Latvia and Lithuania in which two million people participated in demand for independence.

The participants yesterday carried colourful banners, placards, badges, headbands and ribbons, mostly inscribed with the opposition's nine-point charter of demands and slogans like "Down with Khaleda-Nizami Government", "Say No to the Alliance" and "Oust the Government, Save the Country". They also chanted anti-government slogans like "From Teknaf to Tentulia, No More Khaleda Zia".

The programme was observed amid unprecedented security measures that included patrol by helicopters, installation of close circuit cameras and deployment of additional law enforcers along the human wall route. There were no major incidents of violence on the route, except in Bogra and Chittagong. However, at places the human wall had double or more left and right lanes.

The AL, left-leaning 11-Party alliance, Jatiya Samajtantrik Dal (JSD) and National Awami Party (NAP) had announced the programme simultaneously on November 18 with a common nine-point charter of demands.

Earlier on September 22 this year, the AL-led opposition parties formed a 50-km human chain from Gazipur to Narayanganj and on March 30, the AL formed a 22-km human chain from the Pallabi to English Road in the capital.

Although yesterday's human wall programme was scheduled to begin at 3:00pm, people gathered and lined up on the roads, highways and city streets much before. University teachers, physicians, lawyers, cultural activists, trade union leaders and people of other sections of the society, apart from political activists, joined the programme.

They came to the human wall route in small processions and at places by buses and trucks.

The programme drew much attention of locals in different areas, pedestrians and passengers of buses and other vehicles on roads and highways.

The opposition parties brought out separate small processions during the programme asking the government to step down immediately.

At the end of the demonstration, they took out processions shouting slogans like 'down with Khaleda-Nizami regime', and many participants also sang patriotic songs.

"We, in thousands across the country are condemning the government for its failures to deliver and thousands more are witnessing it", Sardar Helaluddin, a city unit leader of the AL, said at the capital's Shahbagh intersection.

Asked about the programme's effectiveness to force the government to quit, Babul Mian at Kakrail intersection said, "This is just the beginning of a vigorous movement and we will continue our programme until the government steps down".

In the capital, top leaders of the Opposition joined the programme at Muktangan and other leaders at various points on the route. The area from Bangabandhu Avenue to Paltan intersection virtually turned into a human sea, halting traffic movement.

"Participation of people is beyond our expectation and they have clearly

showed 'no confidence' in the government, bringing all types of repressive measures including mass arrests and attacks at places," AL General Secretary Abdul Jalil said at Muktangan.

The government would be removed through a tougher programme to pave the way for a credible election under a neutral and non-party caretaker government, he said.

Leader of the 11-Party combine Rashed Khan Menon said the government has lost public support and it should quit immediately.

JSD President Hasanul Haq Inu said, "People formed the human great wall to express their solidarity with the nine-point charter of demands of the opposition parties in the mildest, most peaceful and dignified way."

He went on, "This display of people's power will force the government to step down."

At Amin Bazar under Savar thana, Asif Mahmud, an activist of Bangladesh Chhatra League, said he is proud to take part in the historic demonstration. "This peaceful agitation will make people aware of the government's misdeeds," he added.

In the capital, the human wall touched Jatrabari intersection, Sayedabad, Tikatuli, Motijheel, Gulistan, Noor Hossain Square, Paltan intersection, Bijoyganj, Kakrail, Matshaya Bhaban, Shahbagh intersection, Elephant Road, Science Laboratory intersection, Kalabagan, Russell Square, Asad Gate, Shyamoli, Kalyanpur and Gabtoli.

Our staff correspondent in Chittagong reports: The human wall touched the port city from Kalur Ghat point to City Gate and stretched to Sitakundi and Mirsharai. Thousands of opposition supporters from different parts of the city and rural areas joined it.

Our correspondent in Cox's Bazar reported that participants in the programme lined up on roadside from Teknaf carrying banners and placards. The human wall also touched Bandarban where a large number of indigenous people joined it.

Our Comilla correspondent adds: Hundreds of people gathered at different points on the Dhaka-Chittagong highway from Daudkandi to Choudhagram from noon and stayed till the end of the demonstration.

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Our Narayanganj correspondent reports: The human wall on Dhaka-Chittagong highway from Mutauli to Meghnaghat was formed by thousands of people.

The human wall with breaks at several points touched Mutauli, Shanarpur, Shirmul intersection, Kanchnur, Madanpur, Langolbandh and Mograpara to Meghnaghat.

Local leaders of the opposition parties alleged that police obstructed their supporters from joining the programme at Sonargaon.

A report from our Niphamari correspondent said central AL leader Asaduzzaman Nor MP led the programme in the district, joined by hundreds of people carrying banners and placards with anti-government slogans.

Our Rangpur correspondent reports: The programme was observed peacefully in the district.

A large number of opposition leaders and activists from Rangpur and adjoining Lalmonirhat and Kurigram districts participated in it.

Our Dinajpur correspondent adds: Thousands of people lined up on the roads forming a nearly 50-km human wall.

Contempt hearing

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and independent press, it publishes the news received by it on matters which are newsworthy and in public interest, he said.

Additional Judge of the High Court Justice Faisal Mahmud Faizee's father Mohammed Faiz filed the contempt petition on November 8.

The respondents -- Publisher of the Prothom Alo Mahfuz Anam, Editor Matur Rahman, reporters Ekramul Haque Bulbul and Masud Millaad and Publisher of Bhorer Kagoj Saber Hossain Chowdhury, Editor Abed Khan and Reporter Shaukat Baidya -- were present during hearing.

The High Court division bench of Justice MA Matin and Justice AFM Abdur Rahman heard the submission.

The two dailies carried the reports after an inquiry committee of Chittagong University (CU) unearched the certificate tampering.

Azmul Hossain, counsel for Faiz, told court that the reports fall under the purview of contempt of court, not of the freedom of press.

On tampering he admitted that there was overwriting in the tabulation sheet of one of the subjects but claimed that it was not Faizee's fault. Maybe, the man who did that forgot to put his signature there, he said.

The university's probe report said there were marks of rubbing in the tabulation sheet but did not say who was responsible for it, the counsel argued. "Even Faizee's certificate has not been cancelled," he added.

"It does not matter whether the reports are true or false. It will be contempt of court even if it is true and the guilt will be more if it is found false," he contended.

The way the report was published counts on to a contempt of court, it would not be so if it was presented in another way, he said.

In his day-long submission, Dr Kamal said, "Publication of the report was in exercise of their fundamental right to freedom of expression, involving not only the right but the duty to freely impart information to the public on matters which are of legitimate public interest and concern."

The information contained in relation to the eligibility and qualifications of a particular individual for appointment to this court and its publication is not intended to detract from the dignity of the court but rather to make it possible to give due consideration to relevant information which, had it been disclosed, as it ought to have been before all concerned, would have materially affected the process of appointment," he said.

Where such facts become available and known to the press, it is manifestly evident that these should be published in public interest in order to uphold the integrity and dignity of the judiciary as a whole, Dr Kamal observed.

Any individual who may have a grievance with the publication of a report relating to his personal conduct or reputation may proceed in libel. A report which does not address the administration of justice or of the actions of a judge in his judicial capacity, but only the conduct of an individual in his personal capacity, cannot be the subject matter of contempt proceedings.

The respondents have committed no contempt of court, neither have they published any baseless or motivated report. The report is founded in fact and based upon the public documents and records of Chittagong University.

They deny that there has been any contempt of court or that they have published any report distorting the truth, or maligning, debasing or tarnishing the prestige, dignity and authority of the court, Dr Kamal said.

They have carried out their responsibilities to report an issue of vital public interest, indeed of profound concern to the judiciary itself, and to all those concerned with the administration of justice and with maintaining the integrity and high standards.

The lawyer argued that the petitioner's invocation of the contempt jurisdiction is manifestly an abuse of process for a collateral purpose, insofar as it concerns acts committed by an individual in his private capacity long before his appointment as a judge and does not in any way relate to the actions of any judge performing his or her judicial functions.

"The law does not recognize any such concept as 'collective' contempt of court," Kamal said in his submission. The report is not about an additional judge of High Court regarding his performance of judicial functions, rather about the activities and findings of a three-member committee formed to inquire into alleged irregularities in examinations for inter alia the LLB degree, he said.

"It refers to findings concerning certain persons who were private individuals and students of CU and one of whom subsequently was appointed an additional judge."

"The terms Prothom Alo used were not its own invention, rather the terms the CU authorities, inquiry committee and the Syndicate used. The report merely disclosed what were in the documents," Dr Kamal added.

"If the government inquired well before Faizee's appointment, it might have had the information that journalists revealed, and the appointment might not have taken place," he said.

"It will not be contempt of court as the report published a past incident of a newly-appointed judge."

There is no comment in it about the court, judicial function, the Supreme Court, or other judges. It is written on only one judge but there is even not a word there about this seven-day judicial function as judge," he said.

"It is clear that the contents (of the reports) are true as the judge has not turned up in his office since their publication," Barrister Rokonuddin Mahmud, counsel for Bhorer Kagoj editor and reporter told journalists later.

"The judge should have filed a defamation suit if he felt offended by the reports as those have no ingredients that may be found directed against the house of justice," he said.

"There is no definition of contempt of court in either the constitution or in the law. But there is law on freedom of press," he said.

"Newspapers have duties to publish all news that are of public concern," Rokon observed.

Hearing on the matter resumes this morning.

Advocate Mahub-e Alam was present in court for Saber Hossain Chowdhury, while Barrister Sara Hossain and Barrister Tanjib-ul Alam assisted Dr Kamal.

Judiciary Separation

FROM PAGE 1
prompted them to hold the meeting. Khan also read out the letter before court.

The court asked him to read out different government files on separation of the judiciary and then came down heavily on the government.

"We never wanted any confrontation. A year ago a case on contempt of court was filed over separation of the judiciary. This is still pending. But if a quarter wants to divert the separation to other directions, court as the guardian will see to it," the court noted.

The court repeatedly wanted to know who had authorised these nine officials to change the court directives. Referring to the minutes of the official meeting on November 1, it asked, "How could you interpret that the magistrates are not part of the judiciary?"

The court belongs to the country and so does the government. But, because of the unwarranted interference of bureaucrats, the separation of judiciary is being delayed. The court has been sincere all through and will see the end of this matter, the judges said.

TH Khan submitted that the separation is a matter of process that is in progress. This is not mere mathematical calculations that could instantly be completed. "We are progressing step by step..."

The court retorted that if progress was being made step by step, it would have been finished by now. But the progress resembles the fabled climbing up the slippery bamboo pole.

It added the government has formed the Judicial Service Commission, but it has not yet formed the Judicial Pay Commission, neither has it amended the Criminal Procedure Code (CrPC) to make it effective.

The counsel tendered unqualified apology to court on behalf of his clients who are seven officials of the ministries of finance and establishment. He argued that his clients are small fries.

The court said it needs to be

made certain about who are small fries and who are not. Apology is not the remedy. "How dare they distort the Supreme Court judgement and orders on separation of the judiciary," the court asked in disgust.

Two law ministry officials of the nine were represented by Advocate Khander Mahbubuddin Ahmed. The counsel said his clients had given their note of dissent against the November 1 decisions.

The court pointed out that their very presence at such a meeting is an offence.

Attorney General AF Hassan Arif told court that they had sent two amended drafts on separation of the judiciary to parliament and the president. The letter from Prime Minister's Office created misunderstanding among the nine officials.

Dr Kamal Hossain and Barrister Amir-Ul Islam were present at court to argue for separation of the judiciary.

The officials who appeared before court are Lokman Hakim, joint secretary, Badrul Alam Tarafdar, joint secretary, Mohammad Abdur Rab Hawlader, joint secretary, Mohamad Abul Kalam Azad Chakladar, deputy secretary and Khalilur Rahman, senior assistant secretary of the establishment ministry; Shaful Islam Talukdar, deputy secretary, and Mohammad Hanurur Rashid, senior assistant secretary of the law ministry; Mohammad Fazlul Haque, deputy secretary of the cabinet division, and AKM Moteleb Hossain, deputy secretary of the finance ministry.

Hearing of the matter resumes at 9:00am today.

The Supreme Court on November 29 in a rule asked the nine government officials to explain why contempt proceedings should not be drawn against them for distorting its directives on separation of the judiciary. The hearing of the proceeding was scheduled for yesterday.

BNP leader dies in outlaw

bombs

OUR CORRESPONDENT, Kushia

A ruling BNP leader was killed and 10 others injured in Jhenidah on Friday night when outlaws hurled bombs at them.

Safi Uddin alias Dhappu, member of Madhuhati Union Parishad (UP) and vice-president of Madhuhati union BNP, was standing in front of his shop at Charcol Bazar in sadar upazila when a gang of up to 10 men threw two powerful bombs at about 9:30pm, said witnesses.

Safi died on the spot while those standing around him, sustained shrapnel wounds. Of the injured, Abdul Khaleq, 22, Moidul Islam, 36, Khairul, 32 and Mohammed, 24, were admitted to Jhenidah Sadar Hospital.

The outlaws exploded at least four more bombs to make their escape.

In Chuadanga, Rab arrested Jubo Dal leader Sahid Hossain alias Laddu, 35, and Workers Party leader Farid Uddin alias Shyamol Sarkar and party activist Siddique Ali from a house in Ibrahimpur Guchhogram in Damurhuda upazila. The Rab men recovered one rifle, one shutter gun and 18 rounds of ammunition from their possession.

Police said after a tip-off a Rab team raided the house at about 10:00pm. Jubo Dal leader Laddu stands accused in four cases including one for murder while Farid is said to have been involved with Janajuddho faction of outlawed Purbo Banglar Communist Party.

The three were still under Rab interrogation till filing this report at 6:00pm yesterday.

AUG 21 GRENADE ATTACK

Murder case

suspect

remanded

COURT CORRESPONDENT

A murder case suspect was shown arrested in the August 21 grenade attack on Thursday and remanded for five days yesterday.

The Criminal Investigation Department (CID) on Thursday submitted a petition for showing Akash Sarker (Jiten) of Pachchimpurpa, Munshiganj, arrested in the grenade attack case and seeking a seven-day remand for interrogation.

Akash, who has been languishing in the Dhaka Central Jail since his arrest in a murder case last November, was produced before the Chief Metropolitan Magistrate's Court, Dhaka at 3:00pm yesterday.

In the remand prayer, investigation officer (IO) claimed Akash and his accomplices hurled grenades on the Awami League rally that left 20 people killed and over 200 injured. He needs to be questioned to find out evidence to the incident and whereabouts of his accomplices, the IO said.

The defence lawyers prayed for his bail, arguing that their client was falsely implicated in the case.

Hearing both sides, Metropolitan Magistrate Abdur Rouf Khan rejected the bail petition.

Earlier, nine people -- Saibal Saha Partha, Abdur Rahman, Habib alias Hannan, Badsha Miah, Tusher, Zahir, Abdur Rahim, Walin and Ata -- were shown arrested in the case filed by the police on August 22.

Road crashes

kill six

STAFF CORRESPONDENT

Six people were killed and 24 others injured in road accidents in Bogra, Comilla and Satkhira yesterday.

Our Bogra correspondent reported that a truck-bus collision at Matidali crossing on the outskirts of the district town left four people killed and 20 injured.

Police and witnesses said the accident occurred when a Thakurgaon bound coach from Dhaka crashed into a Dhaka bound timber-laden truck at about 4:00am.

One of the dead was identified as Ranjit Kumar, 35, of Ransonkail Upazila in Thakurgaon district. As of 3:00pm, the identity of the rest could not be known. Police sent the bodies to Bogra Mohammad Ali Hospital for autopsy.

The injured are undergoing treatment at the same hospital. A case was filed with Bogra Sadar Police Station.

In Comilla, a schoolteacher was crushed under the wheels of a bus on the Comilla-Feni highway at Roghupur in Sadar upazila, according to the UNB.

The victim was identified as Bijoy Kumar Saha, 35, a teacher of Roghupur High School.

Police and witnesses said Bijoy was run over by a Comilla-bound bus from Feni while crossing the road at about 11:30am.

Protesting the death of their teacher, students of the school set the bus on fire and blocked the traffic on the highway for two hours.

Our Satkhira correspondent adds: One person was killed and four others were injured, two of them seriously, when a sand-laden truck knocked down a cyclist and a rickshaw van near a petrol pump at Palashpole in the town at about 9:00am.

The dead was identified as Abul Bashar, 40, son of Abu Bakhar of village Rasulpur under Sadar upazila.

The injured, identified as Abdul Cagar, 60, Yunus Ali, 35, Sujan 22 and Biswajit, 13, were admitted to Satkhira Sadar Hospital.

Tigers toil as Sachin

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six hours, must be grateful to the butter-fingered Bangladesh fielders who let him off three times.

The first hour was totally dominated by the home side with Mashrafe Bin-Mortuza making a glorious return to Test cricket after one year from injury.

The 20-year-old fast bowler made a dream start removing Rahul Dravid with a gem of an in-swing after his new ball partner Tapash Baisya had trapped danger man Virender Sehwag lbw for 13.

India's 'Mr. dependable' Dravid was yet to open his account when he decided to let go a delivery by Mashrafe which came back and sent his off-stump cart-wheeling.

Tendulkar came to the wicket with Team India struggling at 24-2. He got his first life with his account yet to open when Mohammad Ashraf, standing at backward short-leg, failed to hold on to a mistimed pull off the bowling of Mashrafe.

Tendulkar, struggling to get back to form, did not even attempt another pull shot before he was well past the 100-mark.

Dubbed 'Narail Express', Mashrafe was unlucky again when Habibul Bashar floored Tendulkar's edge on 27 at first slip.

Tendulkar was also responsible for the run out of opener Gautam Gambhir who made a chanceless 35 with half a dozen fives. The 31-year-old from Mumbai offered the easiest chance of the day shortly before lunch when a Mohammed Rafique delivery caught him off guard and the ball looped up into the air off his gloves but an over excited Rajin Saha lost the ball from his palms at silly point.

Tendulkar did not look back and swung the match India's way with an authoritative 169-run partnership with skipper Sourav Ganguly for the fourth wicket.

Ganguly -- who scored five from 29 balls before the break -- and Tendulkar turned the tide when they rattled 130 runs in the second session.

Tendulkar got back his composure after lunch and looked like the batsman he is, racing from 79 to 96 with four magnificent boundaries before picking up ones and twos to complete his century with a single to mid-on off Tapash. His record-emulating hundred came in 166 balls, studded with 15 fours.

The Indian captain on the other hand, made most of a life on 14 to score an entertaining 71 off 123 balls before being dismissed just before tea, leaving his side on 232-4 at the break.

Dropped by Manzoorul Islam at slip off Rafique, Ganguly occasionally stepped out to punish the left-arm spinners and the classy southpaw cracked 13 boundaries in his 155-minute long essay.

Venkat Laxman got off to a fluent start but after hitting six fours in a 39-ball 32, he was adjudged lbw when Rafique's armer struck him on the backpad.

After sloppy fielding display in the morning, the Tigers catching got better as they removed Dinesh Karthik and Irfan Pathan in quick succession to bring Anil Kumble to the wicket.

The umpires offered light to the batsmen immediately and they happily agreed to leave the ground.

Nod to Tk 1,429cr

FROM PAGE 1
million for railway and \$31.83 million for water development.

As per directive of ADB, the government designed a single project for flood rehabilitation and accordingly put the five components under the scheme.

The government will soon sign an agreement with the ADB for fast implementation of the programme.

Out of the ADB's fund, \$125 million is being pumped in as 'emergency assistance loan'. The rest will be diverted from other existing ADB projects in Bangladesh.

The Ecneec meeting also approved 11 other projects worth Tk 2764 crore.

US soldier jailed

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armysaid. Security officials and civil servants have become prime targets for insurgents opposed to the US military occupation and to Iraqis working for the US-backed authorities.

Colonel Mohammed Abed said from his hospital bed that a fellow police colonel and another officer were killed in the ambush which left Abed and two others wounded.

"They blocked our way, shot us and took our cars," he said of the attack in Ash Sharqat, 110 km (70 miles) north of Tikrit.

A police source said gunmen in the south of Baghdad shot dead a police brigadier and a colonel, both of whom worked at the Interior Ministry. No further details were available.

A woman who survived the attack on the Education Ministry bus said in hospital: "We were on our way to work. We go the same way every day... We don't know where the shooting came from." Two men and two women were wounded.

The yellow, unmarked city bus was riddled with bullet holes in the front and sides. Pools of blood lay inside.

JAILED FORTIITUDE
The convicted US soldier, who was also reduced in rank to private, will forfeit all pay and has been dishonorably discharged from the military, the military said in a statement.

The convictions stem from an incident on August 18 when Horne's unit came across a suspicious vehicle late at night in the poor Sadr City district of Baghdad.

US military officials have described the incident as a "mercy killing" after US soldiers opened fire on a garbage truck they suspected of being used by guerrilla bombers.

US forces clashed repeatedly in August with militiamen loyal to Shia cleric Moqtada al-Sadr. The sprawling Shia slum of Sadr City was a focal point of an uprising by Sadr followers.

Pay body

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press, the commission clarified that it had been working round the clock to prepare its report on the pay structure and to submit it to the government in due time.

The commission expressed its dismay over the publication of different misleading news in various dailies saying, all such reports were baseless.

It termed the publication of such reports a mischievous move of the vested quarters to fish in troubled water and categorically denied any connection with the news items.

The commission considers that publication of such news has created concern and misunderstanding among government officers and employees and tarnished its image and that of the government.

Drafts of 2 vital Saarc

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gave shape to the Agreement on Mutual Administrative Assistance in Customs Matters simultaneously in New Delhi, in which NBR Additional Commissioner Saiful Islam represented Dhaka.

The 13th Summit of South Asian Association of Regional Co-operation (Saarc) on January 9-11, 2005 in Dhaka are expected to adopt the agreements, which are likely to be put into effect from January 2006.

The member countries will review the treaties from time to time and make necessary amendments.

"The accord to avoid double taxation will also let exchange teachers, researchers, scholars and students enjoy tax exemption for the first two years. And the customs co-operation will reduce tax evasion by importers through false declarations and under-valuation," said NBR Chairman Khaeruzzaman Chowdhury.

He thinks, "The agreements will help boost intra-regional trade and investment significantly."

Experts said the new treaties would make new ways for intra-Saarc exchange of tax policies.

Sources said during the drafting process a proposal was raised to allow visa-free regional movement for officials involved with the agreements. But no decision has been taken on this matter, they added, noting this is something that has to be discussed and decided at a higher level.

CUSTOMS CO-OPERATION
Under the customs co-operation system, the seven South Asian nations will exchange specific information on imports and pieces of evidence to cross-check information handed in by importers.