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## SEPARATION OF JUDICIARY

# Govt completes process

Ordinance to be promulgated for removing last obstacle in absence of parliament

JULFIKAR ALI MANIK

The long-awaited separation of the judiciary from the executive now only requires declaration of an ordinance on necessary amendments to the Criminal Procedure Code (CrPC), the gazette notification of which is currently being printed.

If the ordinance were put into effect, the judiciary would be separated from the executive and the magistrates, who are currently under the control of the executive, will then come under the authority

of the higher court and be known as judicial magistrates.

When contacted for comments on the promulgation of the ordinance, Law Secretary Alaaddin Sarder, however, was not willing to make any.

Additional Attorney-General Abdur Rezzak Khan confirmed The Daily Star that "The president has already given his consent to promulgate the ordinance. The gazette notification is currently being published."

Rezzak said, "We cannot say yet the ordinance has been promul-

gated since it is still in the press for being printed. But as soon as the gazette notification is printed and published, the ordinance will be in effect."

All actions related to the separation of the judiciary will be then taken under the amendment, he added.

The CrPC amendment is generally passed through a bill placed before parliament. But since there is no parliament now, the president has had to amend the CrPC through an ordinance, said Rezzak.

According to the constitution,

an ordinance will have to be laid before parliament at its first meeting following the promulgation of the ordinance.

The bill styled "Code of Criminal Procedure (Amendment) Bill, 2006" with amendments necessary for separation of the judiciary was expected to be passed in parliament during the previous government's rule.

However, while the bill was gathering dust at the law ministry, the then law minister Moudud Ahmed did not make any move to

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## Faiz Khan not made adviser

STAFF CORRESPONDENT

The government cancelled Faiz Khan's appointment as an adviser to the caretaker government following press reports on his dual citizenship and controversial involvement with the failed machine-readable passport (MRP) project costing Tk 1,500 crore.

Faiz Khan is a US citizen and according to the constitution, dual citizens are barred from becoming advisers or ministers.

Sources said the youngest son of a powerful minister of the immediate past government, a top executive at the Chittagong Stock Exchange and one of the advisers of the new caretaker government nominated Faiz Khan.

The chief of the caretaker

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## CORRUPT FORMER MINISTERS, MPs

# ACC yet to make any move

STAFF CORRESPONDENT

The Anti-Corruption Commission (ACC) is yet to initiate legal steps against corrupt ministers, lawmakers and leaders of the immediate past government despite growing demands for investigation against them.

ACC Chairman Justice Sultan Hossain Khan told The Daily Star on Thursday that they could not start any such investigation since they did not receive any complaint against the ministers, officials or

leaders of the immediate past government.

The BNP-led four-party coalition government dissolved the then Bureau of Anti-Corruption (Bac) and formed the ACC on November 21, 2004, and appointed Justice Sultan and two commissioners—Prof Maniruzzaman Miah and Maniruddin Ahmed.

There is allegation that the appointments were made on political consideration.

The newly formed anti-graft body claims itself to be "independ-

ent" and the previous government also branded it so.

The then law minister Moudud Ahmed, who tabled the bill for formation of the ACC, strongly asserted that the commission will act independently to root out corruption to a great extent.

In reality, however, the ACC failed to play any effective role in over last two years.

It failed to get its rules approved, experienced government intervention on different occasions, and got

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## Yunus critical of politics for money

AFP, Dhaka

Crisis-racked Bangladesh's politicians are only in it for the money, Nobel Peace Prize winner Muhammad Yunus said, but refused to reveal if he intended one day to seek the helm of the embattled democracy.

In an interview with AFP, "banker to the poor" Yunus also said his country was tired of months of unrest and blockades, with most people "jubilant" that a state of emergency had been imposed and elections cancelled.

"It's about power, power to make money. There is no ideological thing, simply who gets the bigger booty," Yunus said of the struggle between the main political

parties to wrest control of the government.

"Nothing gets done unless you pay the bribe. It's a part of life. It's not the law or the rule anymore, it's how you are paying," he said, stressing that he was speaking of people on "both sides, not one side," of the divide.

Interviewed at his Grameen Bank's upmarket headquarters in Dhaka, a pile of economics books stacked behind him on the shelves of his plain office, Yunus looked relaxed but chose his words carefully.

Yunus, along with his Grameen Bank, brought pride to Bangladesh last year when he was awarded the prestigious Nobel Peace Prize for

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PHOTO STAR

CNG-run vehicles wait in queues for resumption of gas supply at a Gopibagh filling station yesterday as gas supply in many areas of the capital remained badly disturbed for the last couple of days.

## EC reconstitution govt's highest priority: Mainul

UNB, Dhaka

Law and Information Adviser Mainul Hossain has said the caretaker government is giving the highest priority to reconstitution of the Election Commission (EC) rather than having dialogue with political parties regarding the polls.

"We are giving topmost priority to reconstitution of the EC. We work together as to how the EC be reconstituted within the shortest possible time," he said during a briefing at the secretariat yesterday.

The information adviser observed that reconstitution of the EC is a very difficult job as the government cannot sack or remove the chief election commissioner (CEC) or the election commissioners constitutionally. "We desire

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## BOAT PURCHASE CASE Ershad won't have to serve term

He can now contest polls

COURT CORRESPONDENT

Jatiya Party (JP) Chairman HM Ershad was freed yesterday from serving out the sentence given by the High Court (HC) on December 14 last year in a Japanese boat purchase case.

He can now contest the polls as five years have already passed since his serving the sentence.

The Public Prosecutor (PP) expressed concern over the trial court order yesterday while the defence was satisfied with it.

Earlier on January 4, Judge Mohammad Amirul Islam of the First Additional District and



Jatiya Party Chairman HM Ershad comes out of Dhaka Judge's Court after he was declared free.

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## BCL GS, 5 other top leaders held in city

STAR REPORT

The army yesterday arrested six top leaders of Awami League's (AL) student wing Bangladesh Chhatra League (BCL) including its General Secretary (GS) Mofazzal Haider

Chowdhury Roton in the capital.

Security personnel also arrested Narsingdi town BNP General Secretary Harunur Rashid and his three brothers, who are also leaders of Jubo Dal and Jatiyatabadi

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## 4-party worried at leaders' arrests

STAFF CORRESPONDENT

The BNP-led four-party alliance yesterday expressed concern over the recent arrests of its leaders across the country and said party activists may "lose nerve" because of this action taken by the interim government.

The alliance in a press release called for holding the ninth parliamentary elections as soon as possible and hand over power to the elected people's representatives.

Top leaders of the alliance at a meeting at Hawa Bhaban with BNP

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## One killed in crossfire in Nikunja

STAFF CORRESPONDENT

An alleged criminal was killed last night in "crossfire" by Rapid Action Battalion (Rab) in Nikunja area of the capital.

Police identified the victim, Iqbal Hossain, as a professional killer, but failed to say the number of cases, which were filed against him.

According to Khilkhet police, Iqbal was killed near road no. 3 of

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## Man with criminal record dies in army custody

STAFF CORRESPONDENT

A trader with a criminal record died in army custody yesterday after being picked up from Mugdapara the day before.

The victim, Atikullah Ripon, 32, son of Mohammad Shahidullah, was a resident of South Mugdapara under Sabujbagh Police Station. He was owner of several power generators that he rented out to people in the area.

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Late-Mohammed Hanif Bhuiyan

## 5<sup>th</sup> Death Anniversary of Late-Mohammed Hanif Bhuiyan

Founder Chairman of Abedin Group of Industries and an important social welfare worker, who died on 18<sup>th</sup> January 2002. He built many industries, social institutes such as Mosque, Madrasa, School & College which made him alive among us forever.

We remember him with deepest sorrow, love & respect on the occasion of his 5<sup>th</sup> death anniversary and pray to almighty Allah for peace & happiness of his departed soul.

Wife, Sons, Daughters of Late-Mohammed Hanif Bhuiyan and All Officer & Staffs of Abedin Group of Industries.

## Congratulations

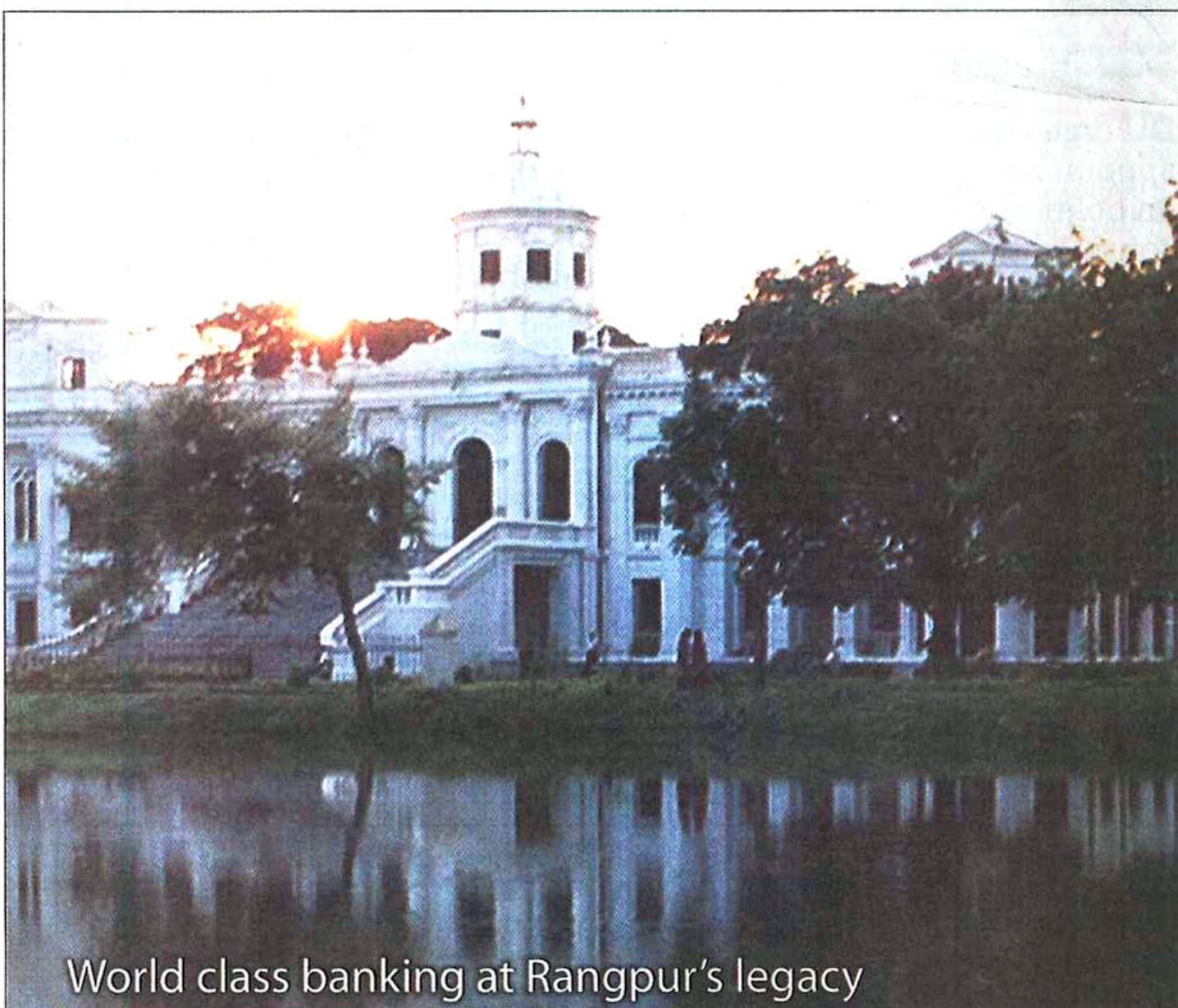
**Mr. Aziz Al Kaiser**  
Chairman

**The City Bank Limited**

Heartiest congratulations to our honorable Vice Chairman Mr. Aziz Al Kaiser on his election as the Chairman of The City Bank Ltd.

We wish him a long life and all the great success on his banking and business activities.

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