

My Lord

FROM PAGE 1
burning of cars on the court premises, and the arrest warrants against eminent lawyers. All of that left the judiciary tainted and the image of the CJ tarnished.

Tell us My Lord, was that an example of saving the nation from a crisis or throwing it into a deeper one. A proper judgment on that writ petition could have saved our democracy from entering the current emergency phase with its concomitant dangers.

Let us also recall the High Court judgment empowering the Election Commission to make it mandatory for every aspirant member of parliament to make an 8-point disclosure, including his or her sources of funds, past criminal records, etc. Hours before the expiration of the deadline for submission of nominations, moved by ruling party lawyers, the chamber judge of the Supreme Court stayed the High Court order. The chamber judge did so surreptitiously, hidden from the public, and without informing the party on whose petition the High Court had passed the judgment. The High Court order was welcomed by all sections of the people clearly representing a 'public good', and was a reflection of a long standing demand of all civic minded bodies. Such a disclosure would have ensured relatively honest people contesting parliamentary elections. It must have been clear to the learned judge of the Supreme Court that the 'stay order' would greatly impact on the composition of the next parliament. By allowing people of dubious backgrounds to contest and win elections, the chamber judge's action actually destroyed whatever chances we had of eliminating corrupt politicians and of getting a comparatively clean parliament. Would we be wrong to say that by staying the High Court order, the learned judge might have, without intending to do so, actually encouraged corrupt people to become members of the parliament (MPs), and by implication, encouraged corruption?

Then there is the now famous case of appointing 19 judges to the High Court, all at once. Reportedly it is the highest number of one-time appointment ever in the country. Several of the appointees were hardly known in judicial circles. Was there no role that the then chief justice could have played to protect the dignity of the higher judiciary? During their confirmation the chief justice reportedly recommended only 17, and did not recommend the other two. Yet all the 19 were appointed by the government and they were sworn in by the CJ himself. Could not he have taken a stand at that time, making it known that he would refuse to administer the oaths of the two he had not recommended? And if that would not work could he not have resigned setting an example of what would happen if a government tries to strong arm a chief justice. Unfortunately he did not do either of those. In fact a very few judges have ever taken the moral high ground of resigning when under pressure from a government. We recall here how Justice BA Siddiqui by refusing to administer the oath of office of the governor for Gen Tikka Khan in 1971 inspired the whole Bengalee nation of erstwhile Pakistan and took the judiciary's dignity sky high. A similar stand by the CJ concerned with the 19 appointments would definitely have made the government rethink the matter. But as former CJ Mahmudul Amin himself said, "Often we gave judgments thinking of the carrot, rather than the law." He said, "Judges are put under heavy pressure to pronounce desired verdicts. But that must be resisted". Taking the point further the present CJ said, "Those who work for carrots not only harm the nation but also themselves, and they must go." We totally agree.

On the other hand there is also a lot to be desired from the members of the Bar. There is no question that over the years our lawyers, including some senior ones, have become so politicised, and their partisanship took such acute forms that they have forgotten that upholding the law is their supreme task, and not party interests. Lawyers getting involved in politics have been a long tradition in the subcontinent. But that they will do so at the expense of justice is a very recent phenomenon. Undignified behaviours became acceptable if it served partisan ends. This resulted in

bitterness among lawyers themselves, and between the Bar in general and the bench, resulting in an overall lowering of the status of the whole judicial system.

Having pointed out where the higher judiciary had let us down in the past, we want to reiterate that such experiences have in no way diminished our faith, hope and expectations from our higher courts. We honour, respect and believe in our High Court and Supreme Court judges. We also know very well that if we are to build a society under law, if we are to guarantee fundamental freedoms, and justice and dignity to our people, then we must build, protect and maintain the highest standards for our courts. We have absolutely no doubt in our minds that without an independent judiciary we cannot hope to make much progress with our democracy. Therefore we want to join our voice with that of the chief justice to say, let us all work together for a better higher judiciary. The judiciary is our last resort, and the higher judiciary is more so. We must do everything in our power to maintain the highest regards for, and show the highest respect to our courts, especially the higher ones. But they must also work hard to earn it. We feel that the arbitrariness with which the governments of the day usually appoint judges must stop. The chief justice must have a higher say in the process. In fact his objection to any appointment should be final.

How to ensure greater accountability in the higher judiciary is an aspect we want the present CJ to think seriously about. Judges should have some sort of criterion, with which their performances could be measured. In this regard international examples should be studied.

There is definitely a case to be made for greater media access with a 'watch dog' role to the judiciary. In that regard we need to amend the archaic contempt laws and defamation laws that govern the judiciary-media relations at the present. All over the world the media is allowed greater leeway in covering the judiciary. And such coverage, instead of harming the judiciary, have resulted in greater accountability and public support for the venerable institution. Yes, the media needs to learn and be more professional about covering the judiciary. That we will gladly do when the Damocles' sword of contempt of court is removed from over our head. In the end we would like to humbly say greater media focus has never harmed any institution but only helped them to become more accountable, transparent and efficient. We urge the CJ to consider our plea.

We conclude with our happy acceptance of the chief justice's firm commitment that the Supreme Court will rescue the nation from any future crisis. That crisis is most likely to be of democracy and fundamental freedoms, including the freedom of expression and that of the press. If our premonition turns to be false, then nothing like it. But if it does not then we look forward to the Supreme Court and to its present guardian, to bring us back to the path that has been a blessing to all nations --- namely democracies. And in that struggle we pledge our unqualified support.

Voter list

FROM PAGE 1

The provision was included in the law to meet any exigencies if preparation of voter list with photographs is not possible for particular areas, Election Commissioner Muhammed Sohul Hussain yesterday said.

Sohul however said they are determined to prepare the voter list with photographs in all the constituencies on time.

Officials at the EC Secretariat said the EC itself had proposed having the special power in the electoral rolls ordinance as a safeguard to avoid complexities in future.

"We will have to complete a massive task of preparing voter list of nearly nine crore voters in a fixed time. The commission can take alternative measures if preparation of voter list with photographs is not completed in a particular area," a senior official said.

The EC had earlier initiated a project for preparing identity cards for voters in 1994 and the law made it mandatory to show ID cards for casting vote. But before the sixth parliamentary election on February 15, 1996, the effectiveness of the law was suspended as the EC failed to prepare ID cards for all voters.

The new electoral rolls ordinance also says once the voter list with photographs is prepared, it will be updated each year, from January 2 to January 31.

Punitive measure will be taken for creating obstacle to preparation of the voter list. "One will be punished with one-year imprisonment and a fine of Tk 5,000 if he or she creates any obstacle to preparing the voter list," says the new law.

Besides, if any official involved in preparing the voter list fails to discharge duties properly without any valid reasons, he or she will be punished with six months' imprisonment and a fine of Tk 2,000.

However, prior permission of the EC will be needed to file a case against any officials involved in preparing the voter list, seeking compensation for any damage.

Promulgation of the new ordinance by the president also repeals the Electoral Rolls Ordinance 1982.

Quader's wife

FROM PAGE 1

upon her income of Tk 88,76,717 for the fiscal years from 2000-2001 to 2006-2007.

Moreover, she concealed her real income while submitting her income tax return to the NBR's tax department, Nigar added.

QUADER CASE

The same court fixed August 15 for next hearing of the case and directed the authorities concerned to produce Quader before the court on the scheduled date.

On August 7, Nigar Sultana filed the case mentioning that Quader had evaded income tax upon his income of Tk 1,07,31,284 for the fiscal years from 1997-1998 to 2006-2007.

The plaintiff said Quader did not mention in his wealth statement submitted to the NBR's tax department about his plot allotted from Rajdhani Unnayan Kartripakkha, savings instruments, FDR, luxurious car, firearms and bank loans, even though he was served with notice to do so.

HARRIS CASE

The same court asked the authorities concerned to hang up the copies of an arrest warrant in connection with a graft case, with posts near his (Harris) residences at Gulshan in the capital and Sylhet.

The court passed the order after the local police station submitted a report on the arrest warrant issued earlier against him saying that they had tried to arrest him but failed to find out his whereabouts, police said.

On July 22, Assistant Director Monayem Hossain, also the investigation officer (IO), submitted the charge sheet to the court of Chief Metropolitan Magistrate, Dhaka against Harris and his accomplice Badal, showing 18 people as prosecution witnesses.

Harris has been absconding since the incident. Badal was earlier arrested and is now in custody.

The case was filed on March 25, as Harris by abusing power took a private car of National Tea Company and handed it over to Badal for use.

Cargo vessel

FROM PAGE 16

It was heading towards Monpura upazila from Bhola Sadar carrying the fertilizer of Momota Enterprise.

In another incident, a fishing trawler carrying 16 fishermen capsized at Kachchapia in Charfashion upazila yesterday noon. Thirteen of the fishermen were rescued by coastguards while three remained missing.

BB stalls

FROM PAGE 1

former foreign minister Morshed Khan, Dhaka City Mayor Sadeque Hossain Khoka, and former lawmaker Kader Siddiqui.

The central bank sent the list titled "List of Corrupt People" with the directive to commercial banks on August 2, after a demand from law enforcement agencies. Many on the list are currently in jail and their bank account details were sought earlier too.

The BB had also directed the banks to submit the account details of Sajeed Wazed Joy, son of detained AL President Sheikh Hasina, and of former AL lawmaker Altaf Hossain Golondaz. Golondaz died on February 17 this year.

Hasina's bail

FROM PAGE 1

HC order that declared businessman Abdul Awal Minto's detention illegal and granted him bail.

Earlier on Thursday, the government filed appeals with the court of Chamber Judge Hasan Ameen, seeking stay on the HC rulings that came in response to three writ petitions—two filed by Awami League (AL) President Hasina and another by Minto.

Additional Attorney General Salahuddin Ahmed stood for the state while Barrister Rafique-ul Huq for Hasina, also a former prime minister now detained on extortion charges.

Coming out of the session, Rafique told reporters that the court has rejected the government's prayer for a freeze on the HC order regarding Hasina's petition.

He said the ACC must follow some procedures for issuing a notice seeking someone's wealth statement but it did not do so in case of the AL chief. "So, the notice on her is illegal," he added.

The ACC served a notice on the AL president on July 17, a day after her arrest.

An HC bench comprising Justices Shah Abu Nayeem Mominur Rahman and Zubayer Rahman Chowdhury on August 7 granted bail to Hasina in an extortion case filed by businessman Noor Ali and ordered the government not to have her tried under the Emergency Power Rules, 2007.

It also asked the caretaker administration to reply within four weeks why its approval of the case being brought under the emergency rules should not be adjudged illegal.

The same day it also stayed operation of the ACC instructions for Hasina to declare wealth and directed the anti-graft body to explain in four weeks why its order shall not be declared illegal.

Besides, it declared illegal the confinement of former FBCCI president Abdul Awal Minto and granted him bail. The proceedings of another pre-emptive detention order against him under the Special Powers Act too were halted.

35,000 attacked

FROM PAGE 1

2,991 oral re-hydration therapy (ORT) corners of union-level government hospitals.

Other water-borne diseases are spreading at an alarming rate in the country. Seven died of respiratory tract infections (RTI) that infected 6,032 people while 7,679 people contracted skin diseases and 1,285 others contracted eye infections since July 30, according to a Health Directorate source.

The overall flood situation of the country has improved, according to the Flood Forecasting and Warning Centre (FFWC).

Flood situation in the districts of Manikganj, Munshiganj, Faridpur, Rajbari, Madaripur, Shariatpur, Gopalganj, Chandpur and Dohar and Nawabganj upazilas of Dhaka is likely to continue improving further in the next 24-72 hours.

The flood situation in the districts of Narsingdi, Brahmanbaria, Kishoreganj and Gazipur is also likely to improve as the Meghna is receding.

All the five small rivers surrounding Dhaka and Narayanganj saw a fall in water levels and are expected to fall further in the next few days, the FFWC said.

The water level of the Brahmaputra and Jamuna fell significantly at all points and the Jamuna was flowing 12cm above danger level at Aricha. The FFWC expects the Jamuna to go below the danger level at Aricha in 24 hours.

The Padma was flowing 42cm and 40cm above danger levels at Goulalno and Bhagyakul and is likely to recede further.

The Disaster Management

Bureau sources said this year the flood affected 21,88,977 families in 199 upazilas of 33 districts.

The flood destroyed crops on 6,32,959 acres of land and damaged crops on 5,93,641 acres. Around 2,279km of roads were destroyed while, 16,983km of roads were damaged.

At least 74km of embankments were completely destroyed and 624km of embankments were damaged. Thirty-five bridges and culverts were destroyed while 635 were damaged.

Three people died in Chandpur yesterday, they all drowned, a correspondent in Chandpur reports.

They drowned were identified as Mosammat Jannat, 3, of Upadhi, Md Asif, 3, of Bakra and Ulfatenessa, 70, of Horion under Matlab upazila.

A total of 82 people contracted diarrhoea in Kochua, Hajiganj, Haimchar, Shahrastra, Matlab, and Sadar upazilas.

Gaibandha had 295 new diarrhoea patients yesterday taking the total diarrhoea patients of the district to 3,368, our Gaibandha correspondent reports.

Trishna Rani, 7, drowned in floodwater at Kumiradanga of Shaghata upazila.

Agriculture Extension Department of the district is preparing seedbeds for Amon seedlings on 12 acres for distribution among the flood-ravaged farmers. It has also taken up a crop diversification scheme in the worst flood-hit Fulchhari upazila.

Private coaching

FROM PAGE 16

Registration and Certification Authority (NTRCA) participating in the meetings also spoke against coaching centres and private tutoring and said that the practice stands in the way of equal access of education for all and it unnecessarily compels the guardians to spend a hefty amount of money, the sources added.

The speakers opted for a ban on teachers at primary to higher education levels from involving themselves in private tutoring or coaching centres, said the sources.

A countrywide investigation by the education ministry found the allegation to be true that most teachers of public and private schools and colleges are negligent about their jobs as they spend most of their time by either working for coaching centres or providing private tutoring for high fees.

The speakers opted for a ban on teachers at primary to higher education levels from involving themselves in private tutoring or coaching centres, said the sources.

Renowned educationist Prof Serajul Islam Choudhury said private tutoring and coaching should be stopped, but the teachers' wages and social security will have to be increased before imposing the ban.

He also suggested providing modern training for teachers to improve the quality of education.

Selim Bhuiyan, chief coordinator of Shikhhak Karmachari Oikya Jote, a platform of teachers and employees of non-government high schools, colleges and madrasas, said it would be a wrong decision if the government imposes the ban before raising the teachers' salaries and other benefits.

There are 80,397 primary schools, 18,500 high schools and 3,150 colleges across the country employing more than 6.5 lakh teachers.

15 Bangladeshi

FROM PAGE 16

Anamul Haque, 29, one of the workers, said they did not know their employer's name adding that they only met some people working for the employer.

"We thought we were going to work in factories, but when we arrived, we were told that there was no work and that some of us were medically unfit. We have been locked up here since then," said Anamul, who claimed to be a teacher.

He said a local woman used to come three times a day with food. She used to push the food through the gaps in the grille.

"The food was never enough and we're always hungry. Though some of us sometimes felt unwell they didn't give us any medicine," he said adding that there were up to 90 men in the house.

In another house, seven workers claimed they had been confined for 10 days.

Residents in the area however told Weekend Mail that the Bangladeshis had been held for months, The Malay Mail Online reported.

An employee of the employer said the locked up workers were not fit to work and some were not interested to work.

"So, we are planning to send them back to Bangladesh," he said claiming that they were forced to keep the workers locked up as they were constantly disturbing residents in the neighbourhood.

Supt Ahmad Mahmud, a police of Serembang, said they are investigating the matter.

The report also quoted Talat Mahmud Khan, labour councillor at Bangladesh High Commission, as saying that he was upset when Weekend Mail informed him about the caged workers.

"We don't have the power to rescue the workers. All we can do is to alert the authorities. At times, the employer might not be cooperative."

Enforcement Director of Malaysian Immigration Department Datuk Ishak Mohamed said, "The workers could have been cheated by rogue agents" adding that he needs more information to ascertain if the workers were legal or not.

Bhuiyan

FROM PAGE 1

Later at the media briefing the BNP secretary general said his party stands beside the people as always. "All of our district committees and former lawmakers of the party already started relief operations in almost every district across the country."

Bhuiyan, along with a few party leaders including Standing Committee Member Lt Gen (ret'd) Mahbubur Rahman, Chairperson's Adviser Maj Gen (ret'd) ZA Khan, Joint Secretary General Ashraf Hossain, and former lawmakers Abdul Alim, Shah Abul Hossain and Mosharrif Hossain Mangu, left the spot for his Gulshan residence after the briefing.

When asked about the factional feud in the party which reportedly prompted two rival factions to distribute relief separately, Mannan Bhuiyan flat out denied it.

"There is no division in the party... he [Hannan Shah] is our party leader, so he can distribute relief among flood victims as we have already asked all of our leaders and workers to stand beside the people," the BNP secretary general said.

The former LGRD minister also urged the government to provide cash money to farmers and start development works without any delay to ensure employment of the flood affected people.

Welcoming the government decision to provide fertilizers and seeds to farmers for free, he said drinking water should be distributed among the flood victims, and the authorities should immediately send medical teams among the victims.

Earlier, on Saturday Brig Gen (ret'd) Hannan Shah, an adviser to the BNP chairperson and a prominent spokesperson for the faction loyal to Khaleda Zia, distributed relief materials in Sirajganj on behalf of the party chairperson while Lt Gen (ret'd) Mahbubur Rahman, a standing committee member of the party represented the faction led by Mannan Bhuiyan in the relief work in Brahmanbaria.

Hannan Shah made a phone call to party Chairperson Khaleda Zia from the spot of the relief operation programme in Sirajganj, and she spoke to the people gathered there over the phone. The BNP chairperson said, "I have sent Hannan Shah to the people as I could not go myself."

Bhuiyan however did not make any comment on the chairperson's remark.

Meanwhile, Hannan Shah is scheduled to continue relief operations on behalf of the party chairperson, as part of which he will visit different flood affected areas today.

Moen

FROM PAGE 1

He thanked the doctors of the hospital for providing proper treatment to the patients.

DGM's Director General Maj Gen M Abdul Mueed Siddique and senior officials of ICDDR,B were present on the occasion.

President

FROM PAGE 16

He has to find out the way of proper functioning of democratic norms and values, establishing the rule of law and good governance for the well-being of the country as well as the nation," Iajuddin said.

"It needs capable, honest, transparent and accountable administration as well as responsible, accountable and patriotic political leaders who will lead our country to the right direction," he said, adding, "Without strengthening the democratic institutions, the function of democracy and its gradual maturity will remain unaccomplished."

The US charge d'affairs said although the security sector is vital to ensuring the state's sovereignty and public safety, "The ultimate responsibility for governing must rest squarely on the shoulders of civilian government—an elected body representing diverse groups within society that governs justly and conscientiously."

"Sadly, history is replete with examples of military leaders who have unwisely left the barracks, much to the detriment of their country and their own institution," Pasi added.

"So-called 'secret' detentions, abuse of detainees, and deaths in custody are unacceptable," Pasi said, adding, "The rights of the accused, in corruption cases as well as other cases, must be respected for these prosecution efforts to lead to an era of greater freedom and justice."

On the first day of the workshop yesterday, there were three separate plenary sessions titled "Democracy and rule of law", "Civil-military relations in Bangladesh-domestic imperatives", and "The role of civil society in a democracy".

Mir Nasir, son

FROM PAGE 1

Meanwhile, the NBR's income tax department will sit in a meeting soon with the managing directors and officials concerned of the commercial banks to clarify its position on imposition of 10 percent tax at source on interest of savings instruments.

NBR issued orders on July 10 imposing 10 percent tax, deductible at source, on annual income in excess of Tk 25,000 accruing from savings instruments that create misunderstandings among the bankers and general people.

Power generation

FROM PAGE 16

According to the PDB press release, probable power generation yesterday evening was estimated at 3350MW.

The PDB hoped that if these power plants resume operation, power generation will increase up to 3800MW by this month.

Pak-Afghan meet

FROM PAGE 16

They acknowledged the "nexus between narcotics and terrorism" and called upon the two governments to wage an "all-out war against this menace."

They agreed to establish a council, comprising 25 delegates from each country, to promote reconciliation with the "opposition" and cooperation between the neighbours.

Musharraf said both Afghanistan and Pakistan had to get away from what he called the backwardness and violence of Islamic extremism.

"These forces are disrupting peace and harmony, impeding our progress and development," he said. "We must rescue our societies from this danger and work together until we defeat the forces of extremism and terrorism."

The Pakistani president conceded that there was support from Pakistani tribal areas for the insurgency in Afghanistan, extremism and "Talibanisation" — the spread of the Taliban's strictly Islamist doctrine.

Pakistan understood it had a "solemn responsibility" to fight against such influences, he said.

Musharraf's presence and speech lent weight to the conference, after he reversed an earlier decision to withdraw from the jirga.

However, tribal leaders from lawless Waziristan on the Pakistan side of the border boycotted the meeting on the grounds that it did not include the Taliban.

Musharraf had been expected to open the talks on Thursday with Afghan President Hamid Karzai, but pulled out at the last minute citing security concerns.

He had reconsidered only after phone calls from US Secretary of State Condoleezza Rice and Karzai.

Hardline group

FROM PAGE 16

Supporters travelled to the stadium in convoys of buses from other parts of Indonesia, the world's most populous Muslim-majority country. Local and foreign speakers were invited to give speeches.

But Yusanto said that two invitees, Imran Waheed from England and Syeik Ismail Al Wahwah from Australia, had been denied entry and deported from Indonesia on Friday.

"The organising committee deplores the deportation because they came to Indonesia at the invitation of the Hizbut Tahrir Indonesia to give their good advice for the progress of Islam, for the progress of this country," he said.

The hardline Muslim cleric Abu Bakar Bashir declined to appear at the event, without giving a reason.

But Yusanto said that police had advised Bashir and another hardline cleric, Habib Rizieq, not to attend the conference.

The senior Muslim figure Dien Syamsuddin was among the key speakers to address the crowd. He is the chairman of Indonesia's second largest Islamic movement, the Muhammadiyah.

"Islam's progress or regress depends entirely on Muslims themselves," he told the crowd.

He said that "the essence" of a caliphate was that Muslims be united and that therefore Indonesian Muslims should safeguard the unity of their country.

But popular Muslim preacher Abdullah Gymnastiar said Muslims in Indonesia were still divided over Sharia law.

"Why do some Muslims not agree with the Islamic Sharia, even though it is for the own good of Muslims?" he said, his voice quickly drowned out by loud applause.

Security did not appear tight for the conference, with police limiting their role to directing traffic.

The rally ended with a prayer and the participants left the venue peacefully, but caused massive traffic jams as they departed.

Hizbut Tahrir Indonesia regularly holds peaceful street protests in several main cities on Islam-related issues.

with whom he has bickered over efforts to defeat a resurgence of the Taliban movement backed by al-Qaeda.

The jirga brought together about 700 tribal leaders, parliamentarians, clerics and other influential figures from both sides of the border to debate ways to root out extremists.

Analysts have said the four days of talks may not immediately do much to stem the growing Islamist violence and the meeting is likely to result in little more than pledges of "brotherliness."

But it could bode well for longer-term cooperation, they said.

Karzai said at a luncheon Saturday with Pakistani officials that the jirga would cement relations between Afghanistan and Pakistan, a news report said.

"Assembling leaders and