

## High hopes, hurdles

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their administrative duties tomorrow.

The SC has already appointed 202 judicial magistrates to carry out the duties at the magistrate courts.

Meanwhile, the existing backlog of around five lakh cases pending with the magistrate courts is feared to worsen further due to the insufficient number of judicial magistrates.

The surfeit of cases at the sessions judge's courts is also feared to deteriorate as the judicial magistrates have been selected from different ranks at the sessions judge's courts.

SC Registrar Ikteder Ahmed, however, expressed a different view yesterday to The Daily Star: "The judicial magistrates will be carrying out judicial duties round the clock. So, the cases [at magistrate's courts] will be disposed of quickly."

He said more judicial magistrates will be appointed in the next three months.

The executive magistrates could not spend their full time dealing with cases at their courts as they also had a number of other duties to perform.

Ikteder said, "The executive magistrates do not have adequate judicial knowledge as they do not have any degree in law. The separation of the judiciary will be helpful to ensure quick justice."

It is widely believed that ministers or administrators used to largely influence the judicial processes, particularly granting bail and passing orders, as the executive magistrates worked under their control. In cases of non-compliance with the superiors' directives, the magistrates would mostly be stripped of their magistracy power and transferred to other administrative jobs.

Different political governments even used the magistrates to get political purposes served or gain other interest.

SC Registrar Ikteder said, "Separation of the judiciary is a constitutional mandate and a demand of the people for the welfare of the people. We hope judicial magistrates will be able to carry out duties independently once the separation is implemented."

Meanwhile, many expressed doubts about how much the SC will be able to manage the huge administrative task efficiently and properly after the separation.

Eminent jurist Dr Shahdeeb Malik told The Daily Star, "This is a big step in maturing of state organ

### One killed

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Harun was driving the vehicle, officials said adding that his death ignited a series of clashes between locals and BDR.

Giving a spot account of the incident, locals said two persons aboard the pick-up managed to escape, leaving behind the vehicle while another was struck by bullet.

BDR jawans also beat up Mintu, brother of Harun, as he later came to the spot.

Hearing the incident, local people got angry and swooped on the BDR men, says the spot report.

At 4:00pm, a clash between BDR and locals again flared up, and this time, the BDR men fired 30-35 gunshots. Local people were beaten up during the melee.

The situation was brought under control at about 6:00pm with the intervention of police.

BDR handed over the pick-up van with timber to local police. Police took the body for autopsy.

A local BDR official said the border force "fired in the air as smugglers tried to take away the smuggled timber and the body".

Six jawans of the BDR were also injured in the massive troubles.

## Tk 50 crore wealth

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seven pieces of Viagra, three guns, one revolver and over 200 rounds of bullet. It however could not be confirmed immediately if the firearms are licensed.

Rab officials said they found Nikita's photograph during the recent bust at the Gulshan office of Yaba dealer Amin Huda. And since then they have been on a hunt for her. They finally made some progress after Dipu who once went to Huda's office with Nikita was arrested recently. Under interrogation, she disclosed information about Nikita's life and her possible whereabouts.

Following up the leads, the crime busters raided a flat on the 16th floor of Karnaphuli Garden City market-cum-residential block and hauled in Nikita's parents and a brother for questioning.

The brother told the interrogators that his sister had been living with Jyotilal at his house in Dhanmondi. Rab said Nikita's sister Pushpa Noor alias Sabita too is a Yaba user and dealer.

Rab-3 Director Sultan Ahmed Noorani, Additional Director General of Rab Gulzaruddin Ahmed and some other top officials went to the scene of yesterday's raid and stayed there till the

interrogation, said sources.

The Rab recently unearthed Huda's clandestine lab used to make Yaba and arrested him with over 1.3 lakh pills and huge chemicals.

## BNP constitution

FROM PAGE 1  
members on Monday convened a meeting of the party forum in absence of detained Chairperson Khaleda Zia and made an important decision that forces the party to witness a split formally.

The meeting appointed M Saifur Rahman as acting chairman and replaced Khandaker Delwar Hossain with party Vice-president Major (retd) Hafizuddin Ahmed as acting secretary general.

However, party constitution empowers only its chief to appoint secretary general, other office bearers and take actions against any members on grounds of violating discipline.

By exercising this absolute power, Khaleda on September 3 expelled secretary general Abdul Mannan Bhuiyan, who was appointed to the post by her around 12 years ago.

Khaleda on September 2 also appointed Delwar as party secretary general.

The standing committee members at Monday's meeting cancelled the expulsion orders of Bhuiyan and joint secretary general Ashraf Hossain.

But the BNP constitution contradicts with the move. The standing committee has the power to reconsider all punitive actions taken against the party members. But the meeting taking the decision must be convened and presided over by herself/himself.

The BNP chairman is also empowered to dissolve national executive committee, national standing committee, subject committees and committees nominated by the chief.

Being the principal officer of the party, the chairman is to control, supervise and coordinate all of its activities, according to BNP constitution.

Pro-reforms leaders led by Bhuiyan had earlier announced a set of proposals to amend the party constitution, terming it undemocratic, in a bid to curtail party chief's absolute power.

But as per the existing rules nobody or no forum in the party can take any step regarding party affairs without the consent or approval of the chairman.

Talking to The Daily Star yesterday, a standing committee member, who attended Monday's meeting, said they could not communicate with the detained chairperson for her consent to hold the meet.

Khaleda's response in this regard is likely to come this afternoon as her counsel is scheduled to meet her in the sub-jail then.

### Iajuddin

FROM PAGE 1  
Wife of the president Professor Anwara Begum, Military Secretary to the President Major General Arminul Karim, Secretary M Sirajul Islam and officials concerned are accompanying the president on the US trip.

### Arrest warrant

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others were added in the charge sheet of the case filed by the Anti-Corruption Commission (ACC) against detained former housing and public works minister Mirza Abbas and 11 others on May 29 for causing a Tk 127.64 crore loss to the exchequer by selling 18 abandoned government houses at lower prices.

PABAN CASE  
Metropolitan Magistrate SM Moin Uddin Ahmed cancelled Paban's bail and issued the warrant as he was absent from the court on four consecutive dates on sick grounds.

Quader also showed lower price in the statement regarding purchase of a flat at Segunbagicha. He also showed different sources of his income in support of which the ACC did not find any evidence. His wealth statement showed his sources of income include money received from relatives and friends, property in the name of his mother and honorarium from newspapers for writing columns and royalty on book.

On March 9, the joint forces arrested Quader who was on the second list of graft suspects published by the ACC.

The assets that we have seized don't seem to have been earned through legal means," Noorani told newsmen after the raid was over at 4:30pm.

He said, "We are surprised to find the huge stock of foreign liquor and currency. Legal steps will be taken in this connection."

Quader's brother Azizur Rahman who lives in the same building said they do not keep contact with him for the rowdy way he leads his life.

Rab said Jyotilal, aged around 55, is divorced. He had been married to a US woman. He used to stay on the ground floor of the three-storey building that would be frequented by many of his girlfriends.

Meanwhile, the Task Force for Interrogation (TFI) yesterday grilled Amit Huda about the deaths of movie stars Salman Shah and Sohel Chowdhury.

Huda told the interrogators that he does not know anything about those for which both the victims' families point the finger at his uncle Aziz Mohammad Bhuiyan.

He fell sick at one stage of the interrogation, said sources.

The Rab recently unearthed Huda's clandestine lab used to make Yaba and arrested him with over 1.3 lakh pills and huge chemicals.

## CEC agrees

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On demands that war criminals be declared ineligible for the polls in the proposed electoral laws, the CEC, however, said such a proposal can be included only to express hatred and malice towards them and anti-liberation forces.

"But it is difficult for us to implement it to keep them out of the polls unless they are specifically charged and convicted," he said.

However, party constitution empowers only its chief to appoint secretary general, other office bearers and take actions against any members on grounds of violating discipline.

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But the BNP constitution contradicts with the move. The standing committee has the power to reconsider all punitive actions taken against the party members. But the meeting taking the decision must be convened and presided over by herself/himself.

The CEC said the issue of war criminals and anti-liberation forces is largely political though the EC is involved in it. Trial of the war criminals could not be done in last 36 years, he observed.

"So, the Election Commission in no way can register any political party based on religion. If the commission does it, it will violate the constitutional oath," he argued.

The JSD, an ally of Awami League-led 14-party alliance, also supported most of the proposals for electoral reforms and suggested some minor changes to a number of those.

The leaders lauded the EC's proposals for checking the use of religion for political purpose during election campaigns.

The party suggested changes in the electoral laws to hold the presidential election by preparing a voter list comprising lawmakers, chairmen and members of Union Parishads, chairmen and ward commissioners of municipalities, mayors and ward commissioners of city corporations and chairmen and members to district and upazila parishads.

The existing laws allow only the lawmakers to vote for presidential election.

The JSD leaders said they believe the EC's electoral roadmap will be implemented on time.

In his concluding remarks, the CEC said the commission will again sit with the political parties seeking their opinions on the final draft proposals for electoral reforms.

## Ex-MP Abu Hena

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naraji petition then.

The court had asked police to reinvestigate and submit the final report again.

After the re-investigation, Sub-inspector Abdus Samad of Boalia Police Station submitted the final report Monday for second time with similar conclusion.

The plaintiff, a BNP adherent of Suryapara of Bagmara upazila, lodged the case on August 14 with the Chief Metropolitan Magistrate's Court accusing three people. Other accused in the case are BNP men DM Fazlur Rahman and Asgar Ali.

The complainant alleged that the accused took Tk 1.5 lakh from him promising him a job abroad. He said Abu Hena, a former MP from Rajshahi-4 constituency (Bagmara and Mohonpur upazilas), demanded Tk 2 lakh from him in 2004 for sending him abroad.

He said as Fazlur and Asgar gave assurance that Hena would send him abroad, he sold some of his land and gave Tk 1.5 lakh to Hena on March 17, 2004.

Israel in the case said the accused started buying time and when he wanted his money back they threatened to shoot him dead.

The case was filed with Bagmara Police Station but the case was recorded with Ramma Police Station in Dhaka following the mention of jurisdiction of occurrence in the case.

Abu Hena was expelled from BNP at the end of the last BNP-led alliance rule for criticising his government.

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## Delwar talks

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the leadership of Chairperson Khaleda Zia, and urged party leaders and workers not to be confused by some leaders' anti-party activities.

Meanwhile, in reply to a question from reporters on whether there is any post of an acting chairperson in the party constitution, Saifur Rahman and Hafiz Uddin Ahmed said a party constitution does not always contain solutions to every situation and it needs to be changed from time to time.

Some party leaders who are not necessarily actively involved in the unfolding drama in BNP said the new line up of leadership picked by the NSC will end up dividing the party as Khaleda loyalists rejected the decision saying that the NSC meeting held in Saifur Rahman's residence itself is illegal, since according to the party constitution only the chairperson has the authority to convene such a meeting.

Some NSC members led by Saifur Rahman on Monday night held a meeting which declined to ratify the expulsion of Abdul Mannan Bhuiyan and Ashraf Hossain by the now detained chairperson of the party, right before her arrest.

The meeting also appointed Saifur as the acting chairperson of the party although there is no mention of such a post in the party constitution, and removed Khaleda appointed secretary general, Khandaker Delwar Hossain, from the post, replacing him with Major (retd) Hafiz Uddin Ahmed as the acting secretary general.

Saifur Rahman, who himself has been sick for a long time, said the NSC decided to remove Delwar from his post on grounds of the latter's physical ailments.

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