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BNP bigwigs, Nizami charged in Gatco case

EMRAN HOSSAIN

The Anti-Corruption Commission (ACC) yesterday finally approved the charge sheet against detained former premier Khaleda Zia, her younger son Arafat Rahman Koko and 22 others for illegally awarding container-handling job at two container depots in Dhaka and Chittagong to Gatco.

The approved charge sheet dropped the names of seven of the 18 persons, including former bureaucrats and ministry high officials, proposed by the investigating officer of the case in his probe report submitted on November 1 last year.

The first information report (FIR) of the case had earlier accused 13 persons of illegally awarding the container-handling job at Dhaka Inland Container Depot (ICD) and Chittagong Port ICD Yard to Global Agro Trade (Private) Co Ltd (Gatco).

The ACC had repeatedly told the press that the charge sheet would not be approved until the Supreme Court disposes of a government appeal against a High Court order that declared inclusion of the Emergency Power Rules (EPR) in an extortion case against Sheikh

Hasina illegal. The approval came yesterday after the Supreme Court allowed the government appeal.

Sources in the ACC said although the issue of the EPR became important later, the com-

mission primarily had a dilemma over inclusion of the names of some former bureaucrats, which the ACC finally dropped.

Of the 22 other accused, 11 including eight former ministers of

the BNP-Jamaat alliance government have been indicted in the chargesheet.

The ACC filed the case on September 2 last year against Khaleda, Koko and 11 others.

Of the eight former ministers seven are from BNP—former finance minister M Saifur Rahman, former LGRD minister Abdul Mannan Bhuiyan, former health minister Dr Khandakar Mosharraf, former land minister M Shamsul Islam, former agriculture minister MK Anwar, former commerce minister Amir Khasru Mahmud Chowdhury, and former state minister for energy AKM Mosharraf Hossain.

Former industries minister Motiur Rahman Nizami is the only one from Jamaat-e-Islami and the charge sheet is also the only one against any top-ranking Jamaat leader since the present caretaker government assumed power.

Others indicted in the charge sheet are former shipping secretary Zulfikar Haider Chowdhury, former member of Chittagong Port Authority (CPA) AK Rashid Uddin Ahmed, and Gatco Director Shahjahan M Hasib.

The other accused in the FIR



1. Khaleda Zia 2. Saifur Rahman 3. Abdul Mannan Bhuiyan 4. Motiur Rahman Nizami 5. Dr Khandakar Mosharraf 6. MK Anwar 7. Arafat Rahman Koko

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SC Bar plans 'silent protest' against Appellate Division

STAFF CORRESPONDENT

Supreme Court Bar Association (SCBA) will not give traditional farewell to the incumbent Chief Justice Mohammad Ruhul Amin when he retires next month.

As a mark of 'silent protest' against the Appellate Division of the Supreme Court, the SCBA will also refrain from organising a programme to welcome the new chief justice who will be appointed after retirement of Ruhul Amin.

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It's illegal, unjust AL denounces SC verdict

STAFF CORRESPONDENT

Awami League (AL) leaders yesterday decried the Supreme Court verdict against the High Court judgment in detained Awami League President Sheikh Hasina's extortion case as "illegal and unjust".

AL acting President Zillur Rahman said people of the country would not accept any election while Sheikh Hasina remained in jail.

SEE PAGE 15 COL 6

No bar to try Hasina for extortion under EPR

SC clears obstacle for govt, cancels HC verdict

JULFIKAR ALI MANIK

The Supreme Court yesterday paved the way for the government to proceed with the extortion case against former premier Sheikh Hasina that was brought under EPR, though the alleged offence was committed before declaring the state of emergency.

The apex court yesterday pronounced its judgment allowing the government appeal against a High Court verdict and clearing the government apprehension of getting embargo on proceedings of several graft cases brought under EPR after emergency was declared on January 11 last year.

However, counsels for Hasina who were aggrieved by the SC judgment told journalists now the government can bring even 50-year-old offences under Emergency Power Rules (EPR) after filing a case. They also termed the judgment the "blackest part of the legal history of Bangladesh".

Earlier on February 6, HC declared illegal the government move to bring the Tk 2.99 crore extortion case against Hasina under EPR and also quashed the case. The verdict made the government concerned about losing the



advantage of bringing other such cases under EPR.

The HC verdict, which was termed by many a "landmark judgment", stalled proceedings of the extortion case filed by businessman Azam J Chowdhury after trial of the case began in the lower court this year.

Now there is no bar to resume the trial as the SC decision cancelled the HC verdict.

It could not be known immediately on what grounds the SC cancelled the HC judgment.

After the SC judgment Additional Attorney General Salahuddin Ahmad told journalists that HC's verdict following Hasina's writ was "wrong".

The Anti-Corruption

Commission also stalled progress of many of its cases and refrained from putting EPR in many cases to see the result of the government appeal against the HC's sensational judgment.

State counsel Attorney General Fida M Kamal also expressed anxiety during the hearing of the leave to appeal on February 12 against the February 6 verdict saying the HC judgment has a far-reaching impact on several other cases.

He said 600 cases have been brought under EPR and many of these are under investigation and on trial, while judgments in many cases have also been delivered.

All these would be stalled if the Supreme Court doesn't stay the HC verdict, he had argued.

However, the SC allowed the government to file regular appeal against the HC verdict and on February 26 stayed the HC judgment and proceedings of the case against Hasina.

On completion of hearing on the government's regular appeal, yesterday was fixed for delivering the judgment, for which all section of people were waiting keenly.

The seven-member full bench of the Appellate Division headed by

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Polls must as per EC roadmap

CA tells Boucher, US State Dept official

UNB, Dhaka

Chief Adviser (CA) Fakhruddin Ahmed yesterday reaffirmed his government's commitment to holding a free, fair, neutral and credible election following the roadmap announced by the Election Commission (EC).

The head of the caretaker government stated it again when the

visiting US Assistant Secretary of State for South and Central Asia Affairs Richard Boucher and Coordinator for Counterterrorism of US State Department Dell L Dailey made a courtesy call on him at his office.

The CA said the EC is doing mainly two tasks -- preparing voter list with photographs of about 80

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BASHUNDHARA DIRECTOR CID sues Babar, 3 others for bribery to cover up murder

STAFF CORRESPONDENT

The Criminal Investigation Department (CID) last night filed a case against former state minister for home Lutfozzaman Babar and three others for taking and giving bribes to suppress the murder case of Humayun Kabir Sabbir, a director of Bashundhara Group.

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BNP reformists reel on Gatco graft charges

Face leadership crisis

RAKIB HASNET SUMAN

The pro-reform BNP faction finds itself in a leadership crisis after the Anti-Corruption Commission (ACC) yesterday approved charge sheet in the Gatco graft case including names of Saifur Rahman and Abdul Mannan Bhuiyan.

It was already in much trouble following Saifur's statement on Wednesday that his position as acting chairperson has become somewhat invalid with four of the standing committee members withdrawing their support.

The former finance minister was appointed to the post at a standing committee meeting on October 29 last year.

The latest developments have

cast uncertainty over the fate of the two top leaders, leaving their fellows with no choice but to go for a new leadership.

But as of last night, they could not decide on their next course of action.

Most of those in the pro-reform camp fear that both Saifur and Bhuiyan would soon be detained, as the Gatco case is under the emergency power rules that do not allow a defendant bail until the trial is over.

Sources said the charge sheet would be submitted to a court in the next few days.

On receipt of the case dossier, the court would summon the charge-sheeted accused to appear

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Aman gets 7yrs for Tk 10 lakh extortion

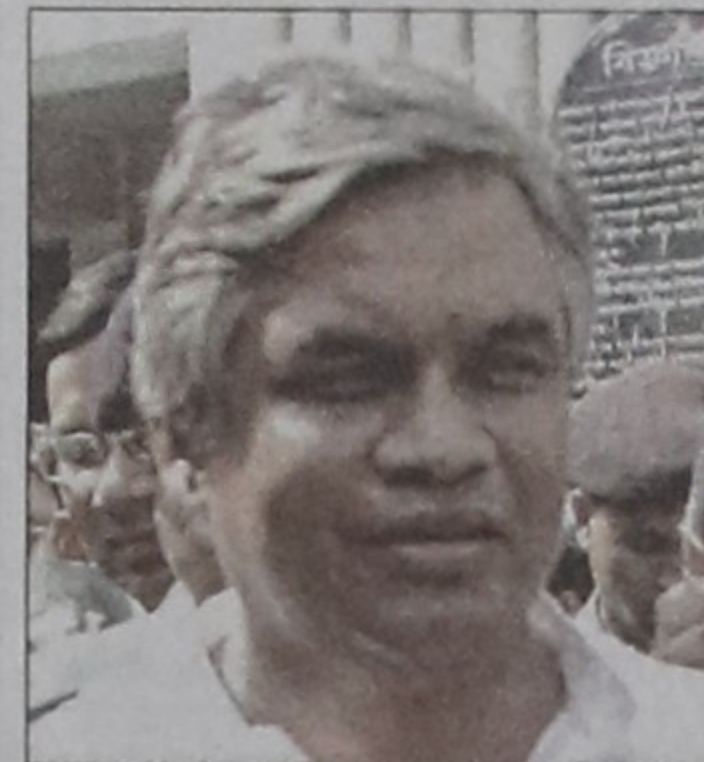
COURT CORRESPONDENT

A Dhaka court yesterday sentenced detained former state minister for labour and employment Amanullah Aman to seven years' rigorous imprisonment (RI) for extorting Tk 10 lakh from a businessman in June of 2004.

Aman was earlier sentenced to 13 years' imprisonment for amassing huge wealth through illegal means.

The court also sentenced one to five years' RI and ten others to six months imprisonment in the same case.

Mojibur Rahman Dipu was given five years' in jail while Mohammad Mastan, Shaikat Hossain alias Sona Miah, Mojibur-2, Latif Bepari, Mohammad Hossain, Zillur, Kalam



Amanullah Aman

Member, Raja, SM Firoz and Abdul Hamid Khan were given six months each in jail.

Of them, Aman, Dipu, Latif,

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