

POWER PLANT CASE
Hasina's trial adjourned till Sunday

STAFF CORRESPONDENT

The cross-examination of the barge-mounted power plant graft case against former premier Sheikh Hasina and seven others continued yesterday with the defence asking the plaintiff whether he investigated the case being directed by the high-ups.

In response, SM Sabbir Hasan, also investigation officer and Anti-Corruption Commission (ACC) deputy director, only said, "No."

The defence cross-examined Sabbir, the first prosecution witness.

SEE PAGE 15 COL 4

ILL-GOTTEN WEALTH
ACC okays charge sheet against Jalil

UNB, Dhaka

The Anti-Corruption Commission (ACC) has approved the charge sheet in a corruption case against detained Awami League General Secretary Abdul Jalil.

ACC Director General (admin) Col Hanif Iqbal told the regular briefing yesterday that the commission has approved the submission of charge sheet against Jalil and 15 others.

Jalil, now in Singapore on parole for medical treatment, will be charge-sheeted for acquiring

SEE PAGE 15 COL 1

Clarification, our reply

Anjan Chowdhury, managing director of the Square Toiletries Limited, sent a clarification May 21 on our report under the headline 'Hummer hums graft galore in imports'.

1) General Motors USA does not permit US Hummer dealers to export brand new Hummer. I believe this policy was implemented to prevent overseas buyers from importing the Hummer directly from US dealers, so that the overseas dealers are not deprived of this lucrative business.

2) The UK price for Hummer H2 with all options & accessories that I have taken including conversion from left to right hand drive is the same that I have paid.

SEE PAGE 15 COL 8

DIALOGUE BEGINS WITH WORKERS PARTY, BIKALPA DHARA
Govt pledges to ensure all-party participation

STAFF CORRESPONDENT

The government yesterday started the pre-polls formal dialogue with political parties, meeting the Workers Party of Bangladesh (WP) and Bikalpa Dhara Bangladesh (BDB) and assuring them all "necessary" steps to ensure other parties' participation in the talks.

But the Awami League acting president took the wind out of the dialogue's sails yesterday, saying the party is still unsure about its participation thanks to the detention of party chief Sheikh Hasina.

The first two of the much-awaited meetings also fleshed out some key points of the government agenda for the talks, including how the next government could review the constitution and create a national charter to build a "moral political consensus" among all parties.

In the first dialogue, WP demanded that the government lift the state of emergency and the

DIALOGUE HIGHLIGHTS	
Workers Party	Bikalpa Dhara
• Lift emergency and conditions on political activity	• Redistributing power between president and PM
• Hold general elections before local body polls	• Four-year term for government
• Stop military and non-military agency interference	• Formation of constitutional commission

conditions on political activities, withdraw control over the media, hold general elections before local elections, and stop "interference" by military and non-military intelligence agencies.

The dialogue went on for around two hours and was attended by the chief adviser in the first hour. Five advisers repre-

sented the government side.

"They told us they will take all necessary steps to ensure that all political parties will take part to make the talks effective," said WP President Rashed Khan Menon at a joint press briefing after the dialogue at the Chief Adviser's Office.

Menon said they told the government they should release

detained former prime minister and Awami League chief Sheikh Hasina as there are many "irregularities" and "interferences" in her trial.

"They did not give us a specific answer to that question," Menon added.

He said WP would never accept any "top-down imposition" of a change in the governance system such as expanding or curtailing the power of the president or the prime minister.

Commerce adviser Hossain Zillur Rahman told the briefing the government had to clarify that it would only work as "facilitator" in creating a national charter, which would act to build a "national political consensus".

He said any review of the Constitution like amending article 70 would have to be made in parliament, but they discussed ways how this could be done.

SEE PAGE 15 COL 6



Leaders of the four-party alliance at a meeting at BNP leader Khandaker Delwar Hossain's Nam flat in the capital yesterday, the first such meeting in almost 16 months.

Ershad acquitted in another graft case

COURT CORRESPONDENT

Former president and Jatiya Party Chairman HM Ershad was yesterday acquitted in another corruption case filed against him 17 years ago.

The former president faced numerous criminal charges after

SEE PAGE 15 COL 4

Boy found dead in Rab mess

MURDER SUSPECT HELD

STAFF CORRESPONDENT

A 10-year-old boy was found dead inside the mess of Rapid Action Battalion (Rab) 10 camp at Labbagh yesterday.

A soldier of the armed forces,

SEE PAGE 15 COL 2

EC violated constitution

Observes HC on failure to hold election within 90 days; accepts plan to hold polls in Dec

STAFF CORRESPONDENT

The High Court (HC) yesterday said the Election Commission (EC) has violated the constitution by not holding the general election within the stipulated 90 days since dissolution of parliament.

It, however, accepted the commission's decision to hold the long-stalled ninth parliamentary polls in December this year, considering it reasonable in the context of existing realities.

Ruling on a writ petition, a bench of Justice Mohammad Abdur Rashid and Justice Md Ashfaqul Islam also observed that democracy and the rule of law could not be established due to repeated violations of the constitution.

It said, "As per article 123(3) of the constitution, the Election Commission is bound to hold the election within 90 days after parliament is dissolved. The constitutional provisions are self-executing, and the commission has no right to avoid or violate those."

In reaction to the court's observations, Election Commissioner Muhammed Sohul Hussain said

the present EC was formed after expiry of the 90-day time limit.

With ATM Shamsul Huda at helm, it took charge on February 5 last year. In an affidavit filed on May 6, it informed the court of its plan and preparations to hold the polls by the year-end.

The HC in its ruling said, "The Election Commission has no discretion to extend the time beyond 90 days."

In no way can it be acceptable that the EC would not hold the election by that time and allow an unelected caretaker government to run the country, it added.

Besides, the judges expressed surprise that the chief adviser, not the EC, has declared the tentative time table for the election while leaving it to the EC to fix the specific polls date.

They said they did not find any provision in the constitution that empowers the chief adviser to make such a statement.

The court said the EC still does not seem to be independent of the Chief Adviser's Office, and so measures should be there to let the EC Secretariat work freely.

According to its judgment, the

next parliament will look into EC's failure to hold the election in time.

The caretaker government's duty is to assist the commission in holding the polls and hand over power to peoples' representatives, it continued.

"The framers of the constitution with their wisdom and insight drafted the rules setting the time limit for holding the national election. But those provisions were not followed."

Responding to the writ petition filed by barrister Masood Reza Sobhan, a senior lawyer of the SC, the HC on January 27 ordered the EC to explain why it shall not be directed to hold the election within the next 90 days.

It also asked the commission to show cause why its failure to hold an election within 90 days since disbanding of parliament in October 2006 shall not be declared unlawful.

Masood yesterday told newsmen that the election commissioners should resign their positions following the judgment.

He said it's quite clear that the EC has been delaying holding the

SEE PAGE 15 COL 3

PROF TAHER MURDER
RU teacher, 3 others sentenced to death

Shibir leader Salehi acquitted

ANWAR ALI and ABU KALAM, Rajshahi

Chhatra Shibir president Mahbul Alam Salehi, a suspected mastermind of the killing,

SEE PAGE 2 COL 5

A Rajshahi court yesterday sentenced to death four persons including Rajshahi University (RU) teacher Dr Mia Mohammad Mohiuddin for the gruesome killing of RU geology and mining department teacher Dr S Taher Ahmed.

The three others are caretaker at Taher's residence Jahangir Alam, his brother Abdus Salam and brother-in-law Nazmul. They had made judicial confessions.

In the judgement, Rajshahi Speedy Trial Tribunal Judge ATM Mesbaudoula acquitted two of the accused -- former RU Islami



Dr S Taher Ahmed

GATCO GRAFT CASE
Saifur has to appear in court by May 28

COURT CORRESPONDENT

A Dhaka court yesterday directed the authorities concerned to publish an advertisement in two national Bangla dailies asking seven 'absconding' accused -- including former ministers M Saifur Rahman and Amir Khasru Mahmud Chowdhury -- to appear before it by May 28 in the Gato graft case.

Judge Mohammad Azizul Haque of the Metropolitan Sessions Judge's Court passed the order after receipt of reports on the arrest warrants issued earlier in their names.

The detained former premier Khaleda Zia and several others were meanwhile not produced before the court yesterday on security grounds.

SEE PAGE 15 COL 7

DIALOGUE, RELEASE OF KHALEDA, HASINA AL, BNP talk to allies to set strategies

STAFF CORRESPONDENT

The Awami League (AL) and BNP have started talks with their allies to settle strategies for dealing with crucial issues including release of former premiers Sheikh Hasina and Khaleda Zia and their participation in the ongoing dialogue with the government.

The BNP-led four-party alliance yesterday held a meeting and prepared a 14-point charter of demands including release of BNP Chairperson Khaleda Zia after withdrawal of all cases against her and ensuring her participation in the dialogue.

The AL has also sat with the components of the 14-party combine in the last couple of days and

reached a consensus that the dialogue would not be successful without the participation of AL President Sheikh Hasina.

Except the AL, all other parties in the alliance have already decided to participate in the formal dialogue with the caretaker government that started yesterday.

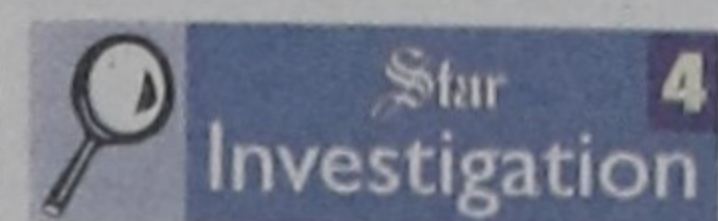
These parties, however, said they look forward to having a unified stance on issues like announcement of electoral schedule, withdrawal of the state of emergency, and the trial of war criminals.

The four-party alliance yesterday made formal demand to the government for immediate release of Khaleda. But none of the components of the 14-party alliance,

SEE PAGE 15 COL 1

PSI system of imports to stay till 2009-end

Govt floats tender, warns aspiring companies against lobbying



SYED ASHFAQUL HAQUE and JULFIKAR ALI MANIK

The mandatory system for pre-shipment inspection of imports is to stay till 2009-end as the present contract with three companies expires in August amid uproar over irregularities in imports.

"Let us go for re-tender up to 31 December 2009," states a recent government document obtained

by The Daily Star. The National Board of Revenue (NBR) floated a tender Wednesday, seeking expressions of interest from aspiring PSI agencies.

The government decision to retain the PSI system followed recommendations from a four-member NBR committee, which felt the customs department is not ready yet to take over the job despite the growing call to scarp the inspection system.

There is strong logic to withdraw the PSI system, but reality-wise it should not be done right away, pointed out the committee,

suggesting an interim period of one-two years for the phase-out.

"In that case the customs authorities would get enough time to build up the institutional infrastructure required in absence of the PSI system," the committee observed.

The government has also decided to increase the blocks outlining regions of imports from five to six, prescribing provision for stringent punishments to PSI companies for irregularities.

NBR sought proposals from different business chambers and

SEE PAGE 15 COL 7

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