

Sadr suspends militia activity indefinitely

AFP, Najaf

Iraqi Shia radical leader Moqtada al-Sadr said yesterday that he has suspended indefinitely the activity of his feared 60,000 strong militia, the Mahdi Army.

"The Mahdi Army suspension will be valid indefinitely and anyone who does not follow this order will not be considered a member of this group," said a statement issued by Sadr in the Shia shrine city of Najaf.

"We have set a cultural programme for the Mahdi Army and we have named it Al-Mumayhidun (Supporters of the Mahdi), and everybody should abide by it and whoever does not agree with it will be expelled from the army."

There was no immediate explanation for Sadr's decision which came after he promised earlier this month to dismantle the once feared militia if a planned security pact between Baghdad and Washington provides for the withdrawal of US troops.

The two sides are still negotiating the planned pact that would govern US troop levels and allow them to operate after a UN mandate expires at the end of the year.

Iraqi Prime Minister Nuri al-Maliki said this week that they had agreed there would be no foreign forces in Iraq after 2011, setting a timeline for a US withdrawal.

Maliki stressed however that despite the progress, there were still points of disagreement crucial to both sides in the proposed security pact.

The White House has repeatedly echoed that no deal has been finalised.

Sadr ordered a six-month freeze in attacks on rival armed groups

and US forces in August last year after allegations that his fighters had been involved in bloody clashes with security forces in the shrine city of Karbala.

The decision came at the same time many Sunni rebel groups in western Iraq decided to join forces with the US military to fight al-Qaeda and amid a "surge" in American troop numbers.

Sadr extended the freeze for a further six months in February. The Iraqi prime minister ordered an offensive against militias in the second city of Basra in late March, which sparked fighting between the security forces and Mahdi Army fighters in Shia areas across central and southern Iraq.

Hundreds were killed in street battles in the Baghdad Shia district of Sadr City, which ended only with the signing of a truce on May 10.

Sadr forces have also clashed with other Shia factions, notably the Supreme Iraqi Islamic Council (SIIC) a Shia religious party led by Abdel Aziz al-Hakim, a key government ally of the prime minister.

Currently believed to be in Iran, Sadr led two uprisings against US-led coalition forces in 2004 and had repeatedly vowed to fight on until US troops leave.

One shot dead

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home in the locality on a motorbike at around 12:15am. The killers fled the spot immediately.

He was rushed to Dhaka Medical College Hospital where doctors declared him dead.

The officer-in-charge of Sabujbagh Police Station said they were yet to ascertain the motive behind the killing.

Delwar

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the Secretariat.

Meanwhile, Khaleda was granted bail in Barapukuria coal mine graft case yesterday and Tarique got bail in the last of the 13 cases against him.

Talking to newsmen at the sub-jail entrance after meeting Khaleda, the BNP secretary general said, "BNP along with its alliance partners will sit in government-sponsored dialogue, and take part in parliamentary polls if Khaleda Zia is released and Tarique is allowed to have treatment abroad."

"We, the four-party alliance, want to participate in the election and in dialogue with the government with Khaleda Zia leading us," Delwar said.

"BNP is an election oriented party. It has participated in all elections in the past and it wants to take part in the next elections too," he added.

Delwar avoided a reply when asked whether they were allowed to meet Khaleda as part of some compromise with the government.

But Mojahid, who was beside him, replied in the negative.

Asked if the BNP chief would ask the government to release her, Delwar said, "We have already asked for her release and we have also got court verdict in this regard."

Responding to another question, he said, Khaleda Zia repeated her request to the government to allow allowing Tarique to get treatment abroad.

"As mother, I demand that Tarique be sent abroad immediately for treatment," Delwar quoted her as saying.

The former premier expressed concern that high prices of food items are causing immense sufferings to people, the BNP secretary general said.

Three men

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into the sea for a swim near to Laboni Point of the beach at around 11.00 am.

Ashiqur Rahman and Sajib, both first year students of North South University (NSU) and Tariq, a first year student of American International University of Bangladesh (AIUB) Electrical Engineering department, were washed away by the strong tides of the turbulent sea.

Tourists on the beach later rescued Tariq from Laboni Point while the other two could not be traced.

"Tariq is in severe shock and unable to recollect when the three young men came to Cox's Bazar or where they were boarding," the police SP said.

In another incident, Sujat Selim, an official of Matrix Computer World of Gulshan, Dhaka and two of his colleagues, Abdul Malek and Yasir Arafat, were swept away by the tide when they went swimming -- also near Laboni Point -- at around 3.30pm.

People present on the beach were able to rescue Malek and Arafat while Sujat could not be found till 5.30pm yesterday, Banaj added.

Malek, Arafat and Sujat had been visiting a relative in Cox's Bazar and had only arrived shortly before they went down to the beach for a swim.

Strong receding tides swept away seven college students as they went swimming at Laboni Point of the beach on July 26 this year. Four of them were later rescued while the bodies of three others were found later.

ACC okays

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charge sheet against the law adviser of the President Iajuddin- led caretaker government and the filing of case against the former diplomat.

The former Appellate Division judge will be charge-sheeted for acquiring wealth worth Tk 1.8 crore beyond his known sources of income and concealing information of wealth worth about Tk 91 lakh.

According to sources, ACC Assistant Director Mohammad Ibrahim, also the investigating officer of the case, will submit the charge sheet to the Chief Metropolitan Magistrate's (CMM) Court either Monday or Tuesday.

The charge sheet in the case filed on April 13 this year will be submitted under sections 26(2) and 27(1) of the Anti-Corruption Commission Act 2004 and section 15 of the Emergency Power Rules 2007.

Justice Fazlul Haque submitted his wealth statement to the ACC on November 26, 2007.

Hanif Iqbal told the briefing that the immediate-past ambassador to UAE would be accused of embezzlement of Tk 65 lakh by being in the service illegally for two years.

Nazim was supposed to go into retirement on February 9, 2003. But he was in service for two more years, as he gave "false information and made changes to his SSC certificate".

Punishment of killers

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Appellate Division will have to settle first the delay petition, said defence lawyer Barrister Abdullah Al Mamun.

"If the Supreme Court allows such convicts to appeal [against the HC verdict], then their fate will be decided after its verdict," he added.

Mamun opined that the observation by both the trial court and the HC regarding "poor" investigation into such a historic case led to the failure to punish the real culprits.

In its verdict, the trial court blamed investigation officer Abdul Kahar Akand for faulty investigation and said all the killers could not be awarded capital punishment due to his negligence.

"Faulty investigation is the reason behind damaging the merit of the case," the judge said in his October 20, 2004 verdict, adding, "The IO did not investigate many important aspects, failed to prove many things including conspiracy behind the assassinations and presented faulty documents."

About four years later, Barrister Mamun, who was present in the court to receive the verdict yesterday, told The Daily Star, "The High Court also made the same observation in recognition to the trial court observation [regarding flawed investigation]."

"The High Court thinks the charges have been made not against the right persons," he added.

On the other hand, Anisul Huq blasted such an observation. "This is a lame excuse that the investigation officer could not investigate properly."

"Why didn't the court make any observation regarding delay in trial of such a historic case for 21 years? Why was no investigation done into it?" he asked.

Speaking to The Daily Star, Kahar yesterday said, "I did my investigation properly and pressed charges against those who appeared to be guilty on the basis of evidence available. And the court punished those who it felt were guilty. I haven't seen the court verdict and have nothing to say about it."

It is very unlikely that an IO would be able to perform his duty smoothly 21 years after an incident.

"Although the killings took place in November 1975, the investigation could not be launched until October 1996 for the Indemnity Ordinance. Moreover, there were attempts to destroy evidence of the case in the long course of time," he added.

Syed Nazrul Islam, acting president of the Bangladesh government in exile in 1971, Tajuddin Ahmed, prime minister, M Mansur Ali, finance minister, and AHM Qamaruzzaman, minister for home affairs, relief and rehabilitation, of the same government, were assassinated in Dhaka Central Jail

on November 3, 1975, only 79 days after usurpers in a desperate bid killed Bangabandhu Sheikh Mujibur Rahman and most of his family on August 15.

Kazi Abdul Awal, the then deputy inspector general (prisons), filed a murder case in respect of the jail killings with Lalbagh Police Station the next day.

But the then government halted the trial process by promulgating an ordinance that indemnified the assassins. The investigation and trial of the killings remained blocked for about 21 years until the law was scrapped during the 1996-2001 rule of Awami League.

The trial was also delayed due to judicial tangles.

Major parties

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but the killers are yet to be brought to justice.

"This is unfortunate," he added. Jatiya Party acting Chairman Barrister Anisul Islam Mahmud said, "We are not happy with the verdict. But we have to accept the judgement of the highest court."

Workers' Party President Rashid Khan Menon said the judgement was delivered ignoring reality. "We are shocked at the verdict. If darkness clouds the judiciary, justice can not be done," said Menon.

Jatiya Samajtantrik Dal President Hasanul Haque Inu said, "The national leaders were killed in front of prison guards and all the murderers were identified. We are not happy with the verdict."

Communist Party of Bangladesh General Secretary Mujahidul Islam Selim told The Daily Star that the High Court verdict did not reflect justice.

Govt asked

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Mojaheed filed the petition, as a public interest litigation, with the HC challenging the legality of three sections of the amended RPO relating to the constitution of political parties and politics based on religion and party elections, reserved posts, front organisations and religious and other such discrimination in party constitutions.

The amended RPO makes it mandatory for political parties to elect members of committees at all levels, including members of the central committee.

A party constitution must also have provisions to meet the goal of reserving at least 33 per cent of all committee positions for women and successively meet this target by the year 2020.

According to the sections of the RPO, a political party will not qualify for registration if any discrimination regarding religion, race, caste, language or sex is apparent in its constitution, or if it threatens to destroy communal harmony or lead the country to territorial disintegration.

The government published the gazette on the RPO on August 19. Barrister Abdur Razzak appeared for the petitioner.

Mega transport project

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second phases. Design guidelines would be made for the Mass Rapid Transit (MRT) systems, including BRT and Metro (underground/railway) system, in the first phase, says the report.

Construction of 12 roads to have major advancement in the city's infrastructure and completion of three elevated motorways will be done in the second phase. "Final design and finance plans for the first Metro Line [5] will be completed in this phase."

The third phase, which has two parts, includes the designing and construction 16 roads aimed at opening up the eastern and western fringe areas. Preliminary engineering on 17 roads to be constructed in the second part of the third phase, final design and financing plans for the second and third Metro Line [4 and 6] and completion of the construction work of Metro Line 5 are scheduled for the first part of the third phase.

The second and final part of the third phase includes design and construction of the 17 roads aimed at completing the city motorway network, completion of Metro Line 4 and 6, and other projects.

The cost of BRT has been estimated at \$5 million per km while the cost of Metro Line construction has been estimated at \$50 million per km on structure and \$75 million per km underground.

Termining the launch the beginning of a new chapter, Fakhruddin said managing fund for such a mega project would be a challenge. He urged the donors to come forward.

The plan, however, has the option to launch concerted move to mobilise fund from government and private sectors.

"The Mass Rapid Transit system will be complete when the first part of the third phase is done," said SM Salehuddin, additional executive director of Dhaka Transport Coordination Board, while giving a short presentation on the 20-year plan.

"We will also revive the rivers in and around the capital to integrate those with the land transport systems."

Presiding over the function, Communication Adviser Ghulam

Tac ordinance

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The petitioners said the ordinance which brings the truth commission into being is unconstitutional because no authorities other than the lawful courts have the jurisdiction to try and mete out penalties to criminal offenders.

They said though the ordinance has not declared the Tac a court, it provides for the commission to confiscate individuals' property which goes against the basic tenets of the country's constitution.

The petition argued that the president cannot promulgate such an ordinance other than the ones related to elections or emergencies during the tenure of a caretaker government.

The president's secretary, cabinet secretary, home secretary, Anti-Corruption Commission (ACC) chairman and Tac chairman were made respondents in the writ petition.

Supreme Court lawyer Adilur Rahman Khan Shubho, Ubini, an NGO, executive director Farida Akhter, the Awami League's women affairs secretary Dipu Moni and rights group Odhikar's acting director Nasiruddin Elan had filed the petition as public interest litigation (PIL).

Dr Toufik Reza was argued for the petitioners while Attorney General Salauddin Ahmed represented the defendants.

Power tariff

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Kepeco, Summit and Malaysian YTL late last year. Summit was conditionally selected at first, but in January this year it was arbitrarily disqualified and YTL was also disqualified. Previously qualified for Sirajganj 450 MW power project, Summit repeatedly requested the Power Cell to reconsider but it was ignored.

Soon after pre-qualification, Powertek and Kepeco announced its consortium and AES announced its withdrawal. Finally, Powertek appeared as the lone bidder on the bid submission date last month.

2nd PRSP

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The projects are construction of jails in three districts (Tk 2 crore), construction of infrastructure in upazila headquarters (Tk 214 crore), upazila road development (Tk 510 crore), district town infrastructure (Tk 210 crore), Amin Bazar sanitary land field (Tk 64 crore), revised primary education stipend (Tk 4,753 crore), transparent ballot box (Tk 46 crore), Chars livelihood (Tk 667 crore), economic empowerment of the poorest (Tk 886 crore), Health, Nutrition and Population Sector Programme (HNPSPP) (Tk 37384 crore), construction of regional passport offices in different districts (Tk 32 crore).

Pension rules

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The commission proposes dropping the need for the would-be retiree to attach citizenship certificate, fingerprint and bond to the pension form if they have national identity card or birth certificate.

A comprehensive form, which will contain all possible information, will have to be prepared in this regard.

The pension-sanctioning authority may only ask the public servant to provide essential papers, filled-out pension form, bank account number and the option for one-time or monthly payment of pension.

The letter sanctioning the pension will have to be sent to the accounts section three months before the LPR ends. The accounts department will then send a pension cheque to the recipient's bank account in 15 days after receiving the letter and inform the retiree accordingly.

As with the lump-sum pension grant, bank cheques for monthly pension will be sent to the recipient's account automatically.

A high-level cell headed by an official from the CAG office will settle appeal on audit objections in three months. In default, the employee will be entitled to getting pension.

The RRC also proposes settling departmental cases against the retiring official in one year's time during the LPR period, and in case of failure to do so, recommends paying off the pension on the assumption that there was no objection against them.

Public servants who worked 10 years in temporary posts under the revenue sector will be entitled to pension under the new recommendations.

Proposing the introduction of a computer-based pay roll accounting, the RRC draft speaks for decentralising the authority of granting pension.

According to a Transparency International Bangladesh study, the average public servant has to pay Tk 7,660 in bribe and spend Tk 3,720 for transport and meals to get their pension documents processed.

"Despite several streamlining steps, government officials still have to go through immeasurable sufferings due to procedural complexities and a lengthy pension processing system. Many of them have to lead an inhuman life in the absence of any social security means," RRC CEO Apurba Kumar noted.

Lanka asks Tamils to flee to govt territory 42 killed in fresh fighting

AFP, Colombo

Sri Lanka yesterday appealed to minority ethnic Tamil civilians living in the line of fire in rebel-held towns to move to areas under government control, saying it would guarantee them safe passage.

Defence Secretary Gotabhaya Rajapakse said the military had cleared a route for people fleeing the island's embattled north, where troops are advancing on the rebel capital of Kilinochchi, 330km north of Colombo.

"We plan to give passage to people from Kilinochchi to come to (government-held) Vavuniya. We're dropping leaflets from the air, encouraging people to leave, giving details of routes to take to safety," Rajapakse said.

Nearly 135,000 people have been driven from their homes because of fighting between government forces and Tamil Tiger separatist rebels in the past two months, according to UN aid agencies.

"It's better for civilians to come to government-controlled areas so we can start to resettle them faster," said Rajapakse, the younger brother of Sri Lankan President Mahinda Rajapakse.

His comments came as the defence ministry said at least 37 rebels from the Liberation Tigers of Tamil Eelam (LTTE) and five government soldiers were killed in the latest clashes in the north on Wednesday.

Troops advancing deeper into territory held by the Liberation Tigers of Tamil Eelam (LTTE) killed the 37 rebels and wounded another 18 in clashes on Wednesday, the ministry said in a statement.

It said five soldiers were killed and another 33 wounded.

The latest fighting brought the number of rebels killed by troops since January to 6,167, according to government figures. The government says 581 of its troops have died over the same period.

Casualty figures cannot be verified as the military blocks media access to frontlines.

Sri Lankan troops have been advancing deeper into rebel-held territory as they push to dismantle the LTTE's northern stronghold after ejecting the guerrillas from the east of the island in July 2007.

Government agencies and the few aid groups who are allowed to operate inside rebel-held areas in the north have reported there are sufficient stocks of food and medicine, Rajapakse said.

Jail killing case

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Marfat Ali and Abdul Hashem are fugitives and the rest behind bars.

The HC bench comprised of Justice Nozrul Islam Chowdhury and Justice Md Ataur Rahman Khan however did not pass any orders on the eight lifers who had not filed any appeal. This means their convictions by the lower court remain valid.

The eight, believed to be holed up abroad, are Lt Col (dismissed) Khondaker Abdur Rashid, Lt Col (relieved) Shariful Haq Dalim, Lt Col (ret'd) SHMB Noor Chowdhury, Lt Col (ret'd) AM Rashid Chowdhury, Major (relieved) Ahmed Sharful Hossain, Captain (ret'd) Abdul Majed, Captain (relieved) Kismat Hashem and Captain (relieved) Nazmul Hossain.

The killing of liberation movement stalwarts Syed Nazrul Islam, Tajuddin Ahmed, M Mansur Ali and AHM Qamaruzzaman came a little over two and a half months after the assassination of Bangabandhu Sheikh Mujibur Rahman.

The court asked the authorities to release those in jail if there are no other charges against them.

Farook, Shahriar Rashid, Huda and Mohiuddin are detained also in Bangabandhu Murder Case. They have been condemned to death in the case. Their appeals against the convictions are now pending with the Appellate Division of the Supreme Court.

In its judgment, the HC yesterday observed that the evidence and statements of the witnesses did not prove beyond doubt the allegations except those against Muslimuddin.

The convicts appealing against the verdict get the benefit of the doubt as per principles of natural justice, it continued.

Muslimuddin's name was on the register at the jail gate on November 3 and all the witnesses testified that he was involved in the murders.

The bench also observed that the investigation officer had not properly investigated the Jail Killing Case. Some persons had been wrongly implicated, it added.

The relatives of those with convictions quashed expressed satisfaction with the HC decision.

Sweetie, Mohiuddin's relative, Families

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He said they were deprived of justice in the lower court as the previous BNP-led coalition government interfered in the trial of the case. They could not get justice this time too, he said.

"But today or tomorrow, we shall get justice," said Nasim, also a former home minister.

Khairuzzaman Liton, son of slain leader AHM Qamaruzzaman, expressed resentment over the verdict.

"The verdict has disappointed me and my family members. We reject it," said Liton, also the Rajshahi mayor-elect.

"We had earlier rejected the verdict of the trial court. We expected justice from the High Court. But it has also disappointed us," he said, adding that they would challenge the verdict in the Supreme Court.

Simin Hossain Rimi, daughter of former premier Tajuddin Ahmed, said people would never accept the High Court judgment.

"If the trial for the killings of the national leaders who were behind the creation of the nation is conducted in such way, what would happen to common people," she asked.

said, "We have got justice from the High Court in this case and hope the same will happen to other cases as well."

Anisul Huq, chief state counsel, termed the verdict "unfortunate and a farce".

"I'm disappointed with the judgment. We will go to the Supreme Court to appeal against it. We have faith in the apex court and we believe we'll get justice there," he told reporters on the court premises.

Abdullah-al Mamun, counsel for the defence, said the verdict shows that some innocent persons were implicated in this case.

"It proves my clients were not involved in the killing," he said.

The HC began delivering the verdict on August 18.

Hearings on the appeals and death references in the case began on July 13, around four years after the trial court's judgment. They continued for 26 workdays.

A day after the killing, the then deputy inspector general of police Abdul Awal filed a case with Lalbagh Police Station against four persons including Muslimuddin.

After 23 long years, police submitted charge sheet against 23 people including Farook and Muslimuddin on October 15, 1998.

Metropolitan Sessions Judge's Court in Dhaka passed the verdict in the case on October 20, 2004, sentencing three people to death and 12 to life in prison.

Five of the accused -- KM Obaidul Rahman, Shah Moazzem Hossain, Nurul Islam Monzoor, Taheruddin Thakur and Khairuzzaman -- were relieved of the charges.

The convicts filed appeals with the HC immediately after pronouncement of the judgement. Mohiuddin, who was brought back home from the United States on June 18 last year, appealed against his conviction from jail.

AKM Mosharraf

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statement from the commission.

CASE AGAINST MOSHARRAF
Additional Chief Metropolitan Magistrate Golam Rabbani passed the order after ACC Deputy Director Golam Shahriar Chowdhury, also the investigation officer (IO), submitted a petition for showing him arrested in the case and interrogating him at jail gate.

The ACC filed the case with Ramna Police Station against the former lawmaker on August 14 this year for accumulating wealth worth Tk 68.56 lakh illegally and concealing information about his assets worth 69.33 lakh from the commission.

The joint forces arrested Mosharraf, also an accused in Gatco, Niko and Barapukuria Coal Mine scam cases, on February 8 last year at his Mymensingh residence.

CASE AGAINST SELIM
The same court yesterday passed the order after ACC Assistant Director Niru Shamsunnahar, also the IO of the case, submitted a petition for showing Selim arrested in the case.

The commission filed the case with Ramna Police Station against former health minister and AL leader Selim on April 23 this year for amassing wealth worth Tk 3.38 crore illegally and concealing information about his wealth worth Tk 22.39 lakh from the ACC.

Selim submitted his wealth statement to the ACC on July 22, last year saying that he has wealth worth Tk 5.13.98.000.