

HC rejects Hasina's

FROM PAGE 1 Sheikh Fazle Noor Taposh also submitted two separate petitions to an HC bench of Justice Mohammad Anwarul Haque and Justice Zubayer Rahaman Chowdhury yesterday seeking bail for her in the Niko graft case and the barge-mounted power plant graft case, both filed by the Anti-corruption Commission (ACC).

The matters might come up on today's cause list of the HC bench for scheduling of hearings, he said. The HC bench of Justice Sheikh Rezwan Ali and Justice Md Rais Uddin in its refusal to grant bail to Hasina, observed that the petitioner may seek bail after returning to the country and then the court will consider the petition.

It said the petition of Hasina argued that she should be granted bail for organising her party to contest in the general election, a line of reasoning which could not be considered in light of the law.

Reviewing a Supreme Court (SC) reference presented by the petitioner's counsels, the HC observed that the Appellate Division granted bail to Tarique Rahman and Sigma Huda on medical grounds since they were in custody, not on parole like Hasina.

The HC also said the Appellate Division guidelines in Moyezuddin Sikder case, that a court may grant bail in cases filed with mala fide intentions, is not applicable in the case against Sheikh Hasina at this stage.

Opposing Hasina's prayer for bail Mansur said her petition should not be entertained since she sought the bail for participating in the next general election.

He also argued she was released on parole on grounds of ill health on the basis of a medical report prepared in June this year, and an updated medical report must be scrutinised before considering her bail prayer.

AL undecided

FROM PAGE 1 The AL leaders however said they are thinking of holding yet another round of talks with the government after the Eid to resolve a few crucial issues including the lifting of the emergency rules.

BNP leaders meantime said they did not get any invitation to any state Eid functions as of yesterday. "We've got invitations. But we've not yet decided whether to join the programmes or not," AL president member Suranjit Sengupta told The Daily Star.

He said the party wants to reach a consensus with the government on deferring elections to upazila parishad, lifting the state of emergency, withdrawing all 'false and fabricated' charges against AL President Sheikh Hasina and other party leaders at a post-Eid meeting in order to ensure a free and fair general election.

Motia Chowdhury, who also sits on the AL presidium, ruled out going to any state programmes on the Eid Day if Jamaat leaders are also invited there.

BNP leaders ASM Hannan Shah and Ruhul Kabir Rizvi said they did not receive invitations to any such receptions.

Prices of bulk power

FROM PAGE 1 but the commission approved the announced new rate considering all factors involved, the chairman said.

The new rate will be effective for only those distribution companies who purchase power from PDB, he added.

According to the order read out by the BERC chairman, the new bulk rates have been fixed at Tk 2.41 per kilowatt for 132 KV distribution lines, and Tk 2.44 per kilowatt for 33 KV lines.

However, a special rate of Tk 2.30 per kilowatt has also been fixed for Rural Electrification Board (REB).

"The lower rate for REB has been fixed considering the socio-economic condition of the rural people," the BERC order said.

BERC asked PDB to chalk out a Service Quality Programme, and to submit it to the commission by January 15, 2009.

The commission also asked PDB to formulate a five-year power plan by considering its demand forecast, and asked the board to submit the plan to BERC by February 01, 2009.

The plan must reflect PDB's production cost and the cost of procuring power generated by independent power plants and rental power plants, the order said.

It also directed PDB to assure the commission that the board has been maintaining an appropriate portfolio of generation assets in order to keep power generation cost effective.

BERC asked PDB to submit other related reports too, before suggesting further tariff hike.

The commission also directed the power board to realise all outstanding bills from consumers, so no outstanding bill can continue to stay unpaid beyond three months.

PDB formally applied to BERC to increase both bulk and retail power tariff on June 15 this year.

BERC held a mass hearing on

Defence counsel Rafique-ul-Haq argued that an HC bench recently granted bail to Hasina on medical grounds in an extortion case filed by businessman Azam J Chowdhury, although she was abroad at the time.

Her bail bond was submitted to the court through her lawyers and the court accepted it, added Rafique.

Rafique also argued that there is no legal bar on granting Hasina bail in the case on medical grounds, adding that the bail is needed for her to take part in politics and to participate in the next general election.

She cannot take part in politics if she is on parole, he said.

At one stage of the hearing, the court said there is no room in the law for entertaining bail petitions on political considerations.

On June 13 last year, Noor Ali, managing director of Unique Group of Companies, filed the case with Tejaon police station, accusing Hasina and her two relatives of extorting Tk 5 crore from him for mediating a power plant deal between the Power Development Board and his firm in 1997.

The government on July 16 last year brought the case under the Emergency Power Rules (EPR) and a magistrate's court ordered on July 29 that Hasina be shown arrested in the case.

Mad rush

FROM PAGE 1 Pinku, wishing to go to Manikganj, was found yelling in front of the information and complaints centre of Dhaka Bus Truck Owners Group at Gabtoli, saying Padma Line buses were charging Tk 80 for a ticket to Manikganj.

"Usually they charge Tk 30 but today it is being charged so high. This is unacceptable," he said.

Asked about the high fares, an employee of Padma Line said, "The government-fixed rate is Tk 60 and Tk 20 was extra for Eid."

All shopping arcades and markets were crowded mostly with women.

"Yes, I did shop earlier but still some more things have to be bought today," said Shawli, a college student.

Heavy traffic was seen on the city streets throughout the day yesterday even though a large number of people of the city had already left.

Chauhanur Sahidul Islam, who drove his boss to work in Motijheel before 9:00am, said, "I was told to return to my boss's Dhanmondi home by 10:00am... it is 11:30am and I cannot even get out of Motijheel."

Hundreds of vehicles were stuck for hours in gridlocks in Motijheel yesterday.

Similar traffic jams were also seen on streets in Sayadabad, Gulistan, Nayabazar, Laxmibazar, Banglabazar, Paltan, Kakrail, Malibagh, Moghbazar, Tejaon, Shabbagh, Karwan Bazar, Farmgate, Shayamoli, Mirpur, Mohakhali and Rampura areas.

People claimed that there were fewer traffic policemen on duty yesterday.

the issue where 20 representatives from organisations concerned and other individuals participated.

The commission took PDB's plea and the arguments of the representatives in consideration before taking the decision to hike bulk tariff.

BERC was established on March 13, 2003 through a legislative act. The commission became effective on April 27, 2004 with the appointment of its members, and has the mandate to regulate gas, electricity and petroleum products in the country.

Obaidul Qader

FROM PAGE 16 getting clearance from the government.

"Immigration and intelligence officials obstructed him at the airport Saturday saying higher authorities placed restrictions on his leaving," the lawyer said in a press release.

The AL leader was forced to return to Bangladesh Sheikh Mujib Medical University (BSMMU) hospital after failing to board his flight Saturday.

Amin Uddin said they had applied to the home ministry on September 17 seeking permission to send Qader abroad for treatment. "We were verbally informed by the ministry that he could go abroad," the lawyer had said.

Qader has been suffering from a number of serious ailments including a neurological disease that causes muscle damage and weakness.

He was released on bail from BSMMU on September 5 where he remained for treatment since his admission on July 22 this year.

AL Publicity Secretary Asaduzzaman Noor, Md Shahjahan, AKM Amin Uddin Hanif, Abdul Kader Mirza and Moni Chowdhury bid him farewell at the airport.

Party official Tareque Shams Himu is accompanying Qader.

Lab test

FROM PAGE 1 For Eid vacations and BSTI is yet to complete its testing procedure. But the private laboratory Plasma Plus situated in city of Uttara has already done the testing.

The laboratory report was also sent to the Commerce Secretary Firoz Ahmed and a sample of the milk would be sent to the Science Laboratory today for confirmation of the test result, the BSTIDG said.

The commerce secretary Firoz Ahmed has also confirmed The Daily Star that presence of melamine was detected in a sample of one of the three Chinese brand baby milk products that were earlier being sold in the market.

"As the government testing laboratories are yet to confirm the presence of melamine in the milk, we cannot take any legal actions against the importers or the companies selling the milk," he said.

The commerce secretary also said that they have asked the Chittagong Customs House to provide complete information on when and what quantity of Yashili 2 brand was brought into the country.

The Institute of Public Health and Nutrition (IPHN) authorities also said that it would be possible to take legal actions against the importers of Yashili 2 after the tests are confirmed.

The Chinese baby milk products Yashili 1, Yashili 2 and Sweet baby 2 had been sold in country's market without having any registration of the IPHN.

Earlier, at a press conference at the secretariat office, Health and Family Welfare Adviser Dr AMM Shawkat Ali said the government has taken steps to amend the breast milk substitute regulation of marketing ordinance 1984 to prevent the sale of hazardous contaminated or tainted milk in the market.

The government will also form a taskforce involving high ups from Ministry of Health and Family Welfare, Ministry of Commerce, Institute of Public Health and Nutrition (IPHN) and Bangladesh Standards and Testing Institution (BSTI) to determine the what future steps need to be taken in the light of the situation that has emerged.

The taskforce will also recommend on taking punitive actions against the importers, dealers and wholesalers involved in importing the contaminated milk from China.

Shawkat Ali said the proposed amendment of The Breast Milk Substitute (Regulation of Marketing Ordinance-1984) asks for five years' jail and Tk 1 lakh fine as punishment for the offenders instead of the two years' jail punishment recommended in it at present.

The draft copy of the amendment will be submitted to the Ministry of Law and Justice for verification within two days and after vetting, the proposal will be placed before the council of advisers for its final approval, he said.

The adviser also informed the press that so far no child in the country has been found affected by consuming the powdered milk, but the government's efforts continue to find out if anyone has been affected by it.

He also said that the government has imposed ban on sale three brands of powdered milk as of those may pose a threat to public health.

Shawkat Ali said he has instructed all the Deputy Commissioners (DCs) of the country to strengthen the vigilance of mobile courts to seize the banned powdered milk from local markets.

The government took action against sale of the imported Chinese milk after the international media reported that melamine had been found in milk powder being sold by some companies in China. Over 62,000 children have already fallen sick in China after consuming this milk.

RMG workers

FROM PAGE 16 The workers set up a barricade on the highway around noon protesting against discrimination of factory authorities in providing Eid bonuses. When police rushed to the spot and tried to drive the agitating workers away, the workers engaged with the police.

Police charged truncheons on the demonstrating workers who retaliated with bamboo sticks and hurling bricks. The clash left at least 20 people, including policemen and pedestrians, injured.

Witnesses said several hundred vehicles were stuck in queues that stretched well over nine kilometres due to the barricade on the highway.

Uttam Prasad, a director of Joya Garments, said, "According to the labour law, the factory authorities are not bound to pay Eid bonuses."

Later, the factory authorities were, however, forced to pay bonuses in full to all workers in presence of police and members of other law enforcement agencies.

Additional Superintendent of Police Masud Karim said, "After Sunday's demonstrations and the road blockade incident, the owner of Joya Garments had assured the workers of paying their bonuses today (Monday). But the authorities paid bonuses in full to only half the workers and only one third of the bonuses to the other half."

On Sunday, the workers staged demonstration inside their factory demanding their wages and festival bonuses. They first clashed with factory staffers and then attacked the Ansar camp inside the factory.

At one stage, they took to the highway and set up barricades. Necessary preparations have also been completed to hold the congregations at various places in the capital and other parts of the country.

The president will exchange Eid greetings with people from all walks of life at Bangabhaban at 9:30am and the CA at the Pradhan Upadestha Bhawan at Sher-e-Bangla Nagar at 11:00am.

EC unable to enforce

FROM PAGE 1 Earlier in April last year, EC unveiled the proposed code of conduct with a set of stringent proposals aimed at reducing election expenditures and encouraging honest candidates.

It also held talks with the political parties twice seeking their opinions on the proposals. None of the political parties then opposed the proposed code of conduct.

The proposed code was supposed to be finalised in February this year according to the electoral roadmap which also stipulated that registration of parties will be completed in June.

But EC yesterday got gazette notification of the code of conduct with retrospective effect of September 18 and it will remain effective until publication of election results in official gazette.

In efforts to free the polls from influence of black money, EC had planned to enforce the code of conduct long before announcement of the polls schedule.

The codes of conduct in the previous parliamentary elections took effect with the announcement of election schedules.

Registration of political parties

SC without adequate

FROM PAGE 16 pending with the apex court. The HC in its judgment directed the government to reappoint 10 HC judges and declared illegal a part of the Supreme Judicial Commission Ordinance 2008 promulgated for appointing judges.

The attorney general's office, however, observes that the government could still appoint judges as per the chief justice's recommendations.

A deputy attorney general said, "The government earlier appointed judges to the High Court although a case regarding recruitment of judges was pending with the Supreme Court."

"If new judges are not appointed soon, the crisis with pending cases will be very serious and the government will have to face it," he said, stressing that judges should be immediately appointed to the two divisions for quick disposal of the pending cases.

Attorney General (AG) Saaduddin Ahmed also said, "The government is the authority to appoint judges to the apex court. It can appoint judges any time." He expressed hope that the vacant posts of judges in the Appellate and

Eid tomorrow

FROM PAGE 1 district-level moon-sighting committees and the meteorological department.

President Iajuddin Ahmed and Chief Adviser Fakhruddin Ahmed in separate messages greeted the countrymen and the peoples of all Muslim nations on the occasion.

BNP Chairperson Khaleda Zia and Awami League President Sheikh Hasina have also felicitated the people on the occasion of the Eid.

Thousands of people have already left the capital to celebrate the Eid with their loved ones.

Launches, buses and trains leaving Dhaka for various destinations were less crowded in the last two days as people started leaving the capital since Thursday.

The Eid shoppers crowded into shopping centres and malls in the capital as well as elsewhere in the country to buy gifts, mainly clothing, for their near ones over the last few days.

The major Eid congregation will be held at the National Eidgah on the High Court premises at 8:30 on the Eid day.

The president, the CA and other advisers, government high-ups and political leaders will say Eid prayers at the National Eidgah.

Besides, Eid congregations will also be arranged at the Baitul Mukarram National Mosque at 7:30, 8:30, 9:30, 10:30, and 11:15am.

The country's biggest Eid congregation with a likely turnout of around three lakh people will be held at Sholakhia Eidgah in Kishoreganj.

Necessary preparations have also been completed to hold the congregations at various places in the capital and other parts of the country.

The president will exchange Eid greetings with people from all walks of life at Bangabhaban at 9:30am and the CA at the Pradhan Upadestha Bhawan at Sher-e-Bangla Nagar at 11:00am.

BNP Chairperson Khaleda Zia will exchange Eid greetings at Ladies Club in the city's Eskatan Garden at 11:00am.

The national flag will be hoisted atop government and non-government offices on the occasion. Main city streets will also be decorated with flags imprinted with 'Eid Mubarak' in Bengali and Arabic.

Eid will also be celebrated in Bangladesh missions abroad.

Special diets will be served in hospitals, jails, government-owned children and shelter homes, socially handicapped and vaga-

before the national polls still remains uncertain as BNP and its allies are opposing it for being qualified to contest the upcoming polls.

"The code of conduct took effect from September 18 according to the gazette notification. But we cannot ask political parties to abide by the rules since none of the parties has yet got registered," Election Commissioner Muhammad Sohul Hussain told The Daily Star.

He said this time it would be difficult to implement the code of conduct. "But it can be enforced properly from the next polls," he asserted.

The EC still faces uncertainty over registration of political parties before the December 18 polls, sources in EC say.

If BNP and its key allies, Jamaat-e-Islami and Islami Oikya Jote don't agree eventually with the registration, EC might have to face tremendous difficulties ahead of the polls.

If the registration is not completed, EC will have to amend the code of conduct, repealing the provision for registered political parties.

HC divisions would be filled soon.

Legal experts meanwhile stressed the need for appointing competent, honest and courageous judges to the two divisions.

Senior jurist and former Supreme Court Bar Association president barrister M Amir-UI-Islam said only increasing the number of judges at the Appellate and HC divisions would not do the judiciary any good if the judges are not competent and honest.

"If incompetent judges are appointed, the number of pending cases would still increase causing suffering to litigants," he said.

Renowned lawyer Dr Shahdeen Malik said, "The present government—being not a political one—is expected to appoint competent and impartial judges soon. I hope that judges will not be appointed on political consideration."

Among the Appellate Division judges, Chief Justice MM Ruhul Amin will retire on December 23, 2009. Justice Md Joydul Abedin on January 1, 2010. Justice Md Tafazzal Islam on February 8, 2010, Justice Md Abdul Matin on February 26, 2010, and Justice Mohammad Fazlul Karim on September 30, 2010.

bond welfare centres and shelter homes for the destitute.

The Shishu Park will remain open to underprivileged children on the Eid day. Cultural functions, friendly football matches and Eid gatherings of children will also be held across the country.

Bangladesh Betar and Bangladesh Television as well as private television channels and radio stations will broadcast special programmes on this occasion. Newspapers have also brought out special supplements today.

Dhakabasi, a socio-cultural organisation, will bring out a colourful procession from the Shishu Academy premises at 3:00pm on the second day of the Eid.

Zia orphanage

FROM PAGE 16 probe report (memo of evidence) to the commission on September 10.

ACC Director General (Admin) Col Hanif Iqbal at a routine press briefing yesterday confirmed getting the report.

The commission had sued Khaleda, Tarique and five other people on July 3 on charges of embezzling Tk 2.10 crore in the name of phoney Zia Orphanage Trust.

"The commission will not divert its focus when there is enough evidence to prove the allegations," an ACC official requesting anonymity said on whether the watchdog would press charges against the accused in the event.

The other accused in the case are former BNP lawmaker Kazi Salimul Haque, Syed Ahmed alias Sayeed Ahmed, Gias Uddin Ahmed, Sharfuddin Ahmed and Khaleda's nephew Mominur Rahman.

On implicating Kamaluddin Siddiqui, the ACC official said, "When the prime minister stands accused of graft, it follows that her principal secretary had involvement in it."

Kamaluddin was not accused in the first information report (FIR) because no enquiry was conducted against him at the time, he said.

Col Iqbal told the press briefing that the commission has decided in principle to soon approve charge sheets against Khaleda, her 10 cabinet members and five other people in the Barapukuria coalmine case.

The September 16 investigation report on the scam recommended bringing charges against them.

4 murdered in city in 20 hrs

STAFF CORRESPONDENT

At least four people including a young girl were killed in the city in separate incidents in a span of 20 hours from Sunday afternoon to early hours of yesterday.

Of them, Pallabi police recovered the body of an unidentified 20-year-old young girl from the Sagupta Housing where the body was lying on the edge of a road early in the morning yesterday.

Police suspect the girl was violated and later stabbed to death.

In another incident, Ashulia police recovered the body of a butcher from Bagbari bush yesterday morning.

Police said the butcher identified as Rana, 22, was strangled to death by the unknown criminals. Rana's relatives said he had been missing from Jamgorah Bazar since Sunday.

An unidentified youth aged about 25 was shot dead by unknown criminals at 9:00pm on Sunday in yet another incident in the city's Nanda Lal Ghat Lane under Sutrapur.

Meanwhile, the railway police recovered the body of another youth from a compartment of a goods-laden train on Sunday evening. He was strangled to death, police said.

Tarique

FROM PAGE 16 London on September 11.

Khan said Tk 6.34 lakh from Khaleda Zia's personal account was sent to London for Tarique's treatment. "All medical expenditures will be borne by Begum Zia," he said.

Gen Moeen

FROM PAGE 16 Fighters (FFs) at war-injured Freedom Fighters Rehabilitation Centre (WIFFRC) at Mohammadpur in the city.

"It is a matter of humiliation for us that the condition of the FFs, who fought for the country's independence, is miserable," he said.

When the army chief inquired about their condition, the freedom fighters placed a three-point demand. The demands include their permanent rehabilitation in the WIFFRC, regular allowance and introduction of rationing system.

General Moeen gave a patient hearing to the FFs and assured them of resolving all problems. He urged the well-off people to come forward to help rehabilitate the war-injured FFs.

The army chief distributed Eid gifts among the families of the injured FFs.

Earlier, General Moeen hosted a reception for a 40-member team of faculty members of various universities, who will leave for Saudi Arabia under the initiative of the army chief, at the army headquarters.

The delegation will visit King Khalid University, Nazran University and Jizan University in Saudi Arabia.

The army chief described the delegation members as ambassadors and urged them to make their best efforts to uphold the country's image abroad.

AL unhappy

FROM PAGE 1 "We did not expect it. We are sad and hurt. Sheikh Hasina should have been granted bail," Zillur said.

He said Hasina has been implicated in several cases on false charges.

Islami Oikya Jote (IOJ), a component of the AL-led grand alliance, organised the discussion where leaders of other political parties including Jatiya Samajtantrik Dal (JSD), Bikalpadhara Bangladesh and Jatiya Party were present.

Zillur said the AL chief would return home by mid-October.

He said they have to continue their fight until democracy is restored fully in the country.

The AL acting chief said they believe in secular democracy and regard religion with utmost respect. Religion should not be mingled with politics, he added.

IOJ Chairman Misbahur Rahman Chowdhury criticised some components of the 14-party combine without mentioning any name for terming his party 'fundamentalist'.

"Some of our friends think that if a party has an Islamic name, it is fundamentalist. But it is wrong," he said adding that they are fighting to build up a secular democratic country.

People will not accept 'controlled democracy' in the country, he added. JSD General Secretary Syed Zafar Sazzad said the BNP-Jamaat coalition is on the move to foil the upcoming parliamentary election sensing defeat.

Earlier, AL presidium member Amir Hossain Amir at a discussion at the party's central office also accused the BNP-Jamaat alliance of hatching a plot to foil the upcoming parliamentary election.

Awami Jubo League organised the discussion marking Hasina's 61st birth anniversary with party president member Dr Mizanur Rahman in the chair.

If the election is not held on December 18, the consequences would be serious for the country, he added.

Another presidium member Suranjit Sengupta said they would contest the upcoming parliamentary election under Hasina's leadership.

Motia Chowdhury said Jamaat-e-Islami has been misleading people in the name of Islam.

Petition off HC

FROM PAGE 1 they will approach another bench to hear the petition after the Supreme Court divisions return from vacation on October 12.

On September 22, the bench fixed September 29 (yesterday) for hearing.

Former BNP state minister Abdul Mannan filed the petition on