

Barapukuria case

FROM PAGE 1
The HC had earlier stayed proceedings of Gato and Niko graft cases in which Khaleda is an accused. And Zia Orphanage Trust graft case against her is now under investigation.

Earlier on Tuesday, another HC bench comprising Justice Syed AB Mahmudul Huq and Justice Moyeenul Islam Chowdhury felt embarrassed to entertain Khaleda's petition and referred the matter to Chief Justice (CJ) MM Ruhul Amin for a decision.

The chief justice on Wednesday sent the petition to the HC bench of Justice Dastagir and Justice Farid for hearing.

Following the hearing, Khaleda's counsel barrister Rafique-ul-Huq told newsmen that she or any other member of her family did not take any benefit from Barapukuria coal mine contract, nor did they give any benefit from the contract to anybody.

There was no corruption in this contract, and the case was filed on the basis of misinformation and with malafide intention.

Advocate MA Aziz Khan, who argued for the ACC, told newsmen that he did not get any instructions from the ACC as to whether they would file any appeal with the Supreme Court against the HC stay order.

ARGUMENTS
During the hearing, Rafique-ul-Huq told the HC that the ACC filed this case on February 26, submitted to court 'final report' on the case on June 1 and pressed charges in court on October 5.

He said the ACC did not explain the delay in submitting the charge sheet but ACC rules 2007 provides that charge sheet has to be submitted within 30 days of filing a case. And in case of any delay, the ACC has to explain it.

Rafique said an investigation officer (IO) of the ACC had earlier submitted 'final report' to the ACC saying the case was filed on the basis of wrong information, and there was no offence committed.

He said the ACC then assigned another IO for reinvestigating the case. But the ACC rules do not provide for further investigation into any case, and changing an IO.

The ACC is comprised of three commissioners, and according to the rules, sanctions for filing cases and submitting charge sheets must be approved by the entire commission instead of individual commissioners, the counsel argued.

So, filing of the case and submitting the charge sheet against his client were illegal as those were not sanctioned by the entire commission.

Advocate MA Aziz Khan opposed the quashment petition, saying the ACC properly followed rules in giving sanctions to its assigned officials in filing this case and submitting charge sheets.

The court told him that as per the ACC rules, the commission had to give sanctions to its officials at all stages of proceedings of cases but it did not do that in this case.

The ACC counsel argued that there was no necessity of the ACC sanctions again and again for proceedings of cases.

The HC bench asked him whether he was teaching them laws.

The counsel then said the ACC rules regarding sanctions should be changed.

LOWER COURT PROCEEDINGS
Khaleda appeared before the Metropolitan Sessions Judge's Court in this case yesterday.

She was earlier produced before the Chief Metropolitan Magistrate's Court on September 3 last year after her arrest in Gato graft case.

Yesterday, proceedings of all the courts including District and Sessions Judge's Court and Metropolitan Sessions Judge's Court were suspended for over three hours because of the huge rush of people at the courts centring Khaleda's appearance. A severe traffic jam was created in the court areas.

The former premier along with her lawyers including Khandaker Delwar Hossain, also BNP Secretary General, appeared before the court at noon as hearing of the case was scheduled for yesterday.

She was given a chair in the courtroom during the hearing that continued for over an hour. The courtroom was jam packed with lawyers and BNP leaders.

Khaleda's lawyers Joydul Abedin, Sanaulah Miah and Masud Ahmed Talukder submitted two petitions -- one for continuing

HC extends order
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proceedings against Hasina should not be quashed.

On August 27, the HC also extended the stay orders until October 14 and fixed the same day for hearing of the rules.

On October 5, a vacation bench of the HC comprising Justice Mohammad Anwarul Haque and Justice Zubayer Rahman Chowdhury directed the government not to harass or arrest Hasina at home or abroad until October 20 in the two cases.

Barrister Shafique Ahmed, counsel for Sheikh Hasina, recently submit separate prayers on behalf of his client to the High Court for extending its orders.

her HC bail on its expiry and the other for staying the proceedings of the case.

Moving the petitions, the lawyers said Khaleda had earlier obtained a four-month HC bail on August 28. As the Metropolitan Sessions Judge's Court had earlier asked her and other accused to appear before it yesterday, she complied with the court order.

Moreover, they had earlier appeared to the HC for quashing the case. So, they prayed to the metropolitan court for staying the proceedings of the case until hearing of the quashment petition ends, lawyers said.

Two other BNP leaders and former ministers MK Anwar and M Shamsul Islam, and Jamaat Ameer and former minister Motiur Rahman Nizami, now on HC bail, appeared before the metropolitan court yesterday.

Nizami's lawyers submitted a petition for continuing the HC bail on its expiry.

Another accused in the case, former BNP secretary general and minister Abdul Mannan Bhuiyan could not appear before the court due to illness. Former finance minister M Saifur Rahman, one of the accused, did not appear in the court since he is on a four-week HC bail.

Two detained former ministers - Khondaker Mosharraf Hossain and Altaf Hossain Chowdhury - also accused in the case, were produced before the court.

Jamaat-e-Islami Secretary General Ali Ahsan Mohammad Mojahid, and seven other accused who are absconding, did not comply with the court order to appear before it.

The Anti-Corruption Commission (ACC) pressed charges against Khaleda and 15 other accused in this case on October 5.

The ACC filed the case on February 26 this year accusing them of causing a loss of Tk 159 crore to the state exchequer by awarding a contract for operating Barapukuria coal mine to a Chinese company through abuse of power.

Additional police forces were deployed on the court premises to avoid any untoward incident. Lawyers and all others were given permission to enter the court premises after checking with metal detectors.

Hundreds of activists and supporters of BNP and Jamaat thronged the court premises. Carrying party flags and banners, they chanted slogans for withdrawal of the case against Khaleda.

Party supporters and activists were seen standing on both sides of the road from Gulistan to the court while Khaleda was on her way to court.

Removal

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Committee that forced the authorities concerned to remove the sculptures said the government has to begin the task of erecting a hajj minar by October 23 in place of the sculptures removed on Wednesday.

They also demanded removal of Mahbub Jamil, special assistant to the chief adviser, for taking initiative to erect the sculptures. Committee Chairman Mufti Nur Hossain Nuran, also the chairman of Khatme Nabuwat Andolon, at a press conference at a city restaurant said if the government fails to meet their demands they would hold a grand rally at the north gate of the hajj camp on October 24.

The Roads and Highways Department (RHD) and Civil Aviation Authority of Bangladesh (CAAB) were forced to remove the five sculptures in the face of protests of the Murti Protirodh Committee on Wednesday.

"We will not accept anything but a hajj minar at that place and its design must be finalised upon our consent," said Mufti Nur Hossain.

He said al-Khatir across the country will bring out processions from mosques today demanding punishment of those who took the initiative to erect the sculptures in front of Zia.

Sculptor Mrinal Haque said the task of erecting the sculptures began about three and a half months back.

Almost 50 percent work of the project had been finished at a cost of Tk 50 lakh, said Mrinal, who was supposed to sign an agreement with United Commercial Bank Ltd on Wednesday for getting funds.

A CAAB official said they removed the five sculptures of bauls holding etkara on instructions of the ministry concerned.

Ain O Salish Kendra in a statement expressed concern over the removal of the sculptures and said such incidents raise questions about the present government's commitment to protecting Bengali culture, upholding non-communal spirit and democratic values.

Workers Party of Bangladesh President Rashed Khan Menon and its General Secretary Bimal Biswas in a joint statement also condemned the removal of the sculptures.

They said the present caretaker government has compromised with the fundamentalists on various issues but the people will thwart all attacks on the Bengali culture.

Bangladesh Uddichi Shilpi Gosthi, Charan Sangkritik Kendra, Jaybangla Sangkritik Oikya Jote and Bangladesh Students' Union also condemned the incident.

BNP moves

FROM PAGE 16
BNP Joint Secretary General Nazrul Islam Khan, also the leader of a team, yesterday exchanged views with the presidents and secretaries of district committees and front organisations of seven districts -- Mymensingh North and South, Kishoreganj, Netrakona, Tangail, Jamalpur and Sherpur. Discussions were held separately at the BNP central office.

After receiving the reports, senior party leaders will visit different districts and submit reports to party Secretary General Khandaker Delwar Hossain. He will sum up those for the party chairperson.

The task is expected to be completed within this month.

BNP standing committee member Chowdhury Tanbir Ahmed Siddiky, RA Gani, MK Anwar, Selima Rahman, Abdul Mannan, Sarwari Rahman will lead the other six teams.

HK bank deposit

FROM PAGE 1
"There are legal complexities in recovering the laundered assets or money as the process involves two countries and international laws. And there is a question of collecting evidence to prove how the money was laundered," said ACC Director General (Admin) Col Hanif Iqbal during a regular press briefing at the commission's headquarters.

He also mentioned that the process also requires having a deal between the countries involved in money laundering and the process is very long.

"But the ACC have already looked into the wealth statement submitted by Morshed Khan and his son and found that they concealed information about the money," he said, adding that the ACC is looking for the way to recover the laundered money.

The Hong Kong police, through the Interpol's Dhaka office, have informed the government of the matter and wanted to know whether Bangladesh wants to confiscate the money.

Morshed Khan and his son Faisal Morshed Khan are on the run. They were sentenced to 13 and 10 years' rigorous imprisonment on charges of amassing wealth illegally and concealing information of the assets in their wealth statement submitted to the ACC.

Faisal Morshed Khan, managing director of Pacific Motors and chairman of AB Bank Ltd, was sentenced to imprisonment for amassing wealth worth Tk 1.66 crore and hiding information of wealth worth Tk 1.50 crore.

M Morshed Khan was jailed for amassing wealth worth Tk 1.70 crore illegally and concealing information of wealth worth Tk 91.34 lakh.

Hawa Bhaban

FROM PAGE 1
(BNP chief's previous political office), he said any allegation must be supported by

proofs and documents, otherwise it cannot be accepted. About bringing changes in BNP party constitution, he said there is scope for improvement. One can place proposals for this at party council but until it (council) makes any change, all provisions of the existing constitution will remain in force.

Replying to a question, he said his party has already started preparations to take part in the coming parliamentary polls since there is no alternative to election to save the people from the existing 'suffocating' situation.

The BNP leader alleged that Awami League (AL) wants to see a national election without BNP's participation as in the recent elections to city corporations and municipalities. "They (AL) want to form a government through a walkover in the election as they know their grand alliance will not win if the BNP-led four-party combine takes part in it."

There is a plan to keep BNP away from the polls process, he said. "BNP is an election-oriented party, it will not accept any stage-managed election."

Tanbir said a level playing field for all political parties and an environment free from all fears are the main requirements for holding a transparent and credible election, but that cannot be ensured under the state of emergency.

The caretaker government's stance on emergency shows its lack of confidence in the people as well as political parties, he added.

Earlier, the government had said the state of emergency would continue until the election to ensure security of the voters.

It is the responsibility of the government and Election Commission to withdraw (state of) emergency and make necessary amendments to the revised Representation of the People Order (RPO) if they really want hold a meaningful election, the BNP leader observed.

Big powers

FROM PAGE 16
financial architecture" to revamp the Bretton Woods accords after World War II.

Brown and Sarkozy speak of the need for more regulation and oversight and a new role for the International Monetary Fund (IMF) to avert future crises.

As chair of the European Union, Sarkozy will meet US President George W. Bush at his Camp David retreat on Saturday to discuss the idea, hoping the building blocks can be laid at a summit in coming weeks.

"The crisis is so grave that the Americans are ready to sign on," said Christian de Boissieu, an economist and adviser to the French government.

Sarkozy insists Bush's successor must be involved, handing Barack Obama or John McCain an immediate and enormous challenge after the November 4 vote.

German Chancellor Angela Merkel has backed Sarkozy's call for a meeting of leaders of the Group of Eight industrialised powers with emerging powers China, Brazil and India, possibly as early as next month in New York.

That summit would lay the groundwork for a meeting under the auspices of the 184-member IMF to launch what has been called Bretton Woods II, according to a French proposal.

"We need to get everyone around the table. The response thus far just does not go far enough," said De Boissieu.

A strong advocate of state-driven economics, France is drawing up an ambitious list of issues to be addressed, covering banking, hedge funds, credit rating agencies and sovereign funds.

EC to ask AL

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ber of forms collected stood at 180, said the EC Secretariat sources.

At the meeting, Chief Election Commissioner (CEC) ATM Shamsul Huda asked the committee to carefully examine the documents submitted as registration requirements, meeting sources said.

According to the decisions taken at the meeting, the committee will work to resolve inconsistency, if any, in the party constitutions or any other documents.

"If it fails, it will leave the matters for the commission to settle," Election Commissioner Muhammad Sohul Hossain told reporters at this office.

Queried about the apparent reluctance of BNP and its ally Jamaat-e-Islami to apply for registration, he said the commission hopes both the parties will in the end apply.

The closing date for registration applications now is October 20 after the EC recently extended the time limit by five days. The time extension came in response to the demands of BNP and Jamaat.

UK minister
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because the only effective way to fight corruption everywhere in the world is full respect for the rule of law.

He said the government was right to want to address this issue as the graft convicts might find their way into the election if the emergency were lifted.

The former UN deputy secretary-general hoped that the political parties will show responsibility towards election procedures and bring a democratic, political government back in Bangladesh.

"As a friend of Bangladesh, we are very keen to see that happen on December 18," he told the reporters at the residence of the British high commissioner.

Stressing the need for creating the right conditions for a successful and credible election, Brown said, "It's important that the political parties have the time and the freedom to campaign effectively ahead of the elections."

He highlighted the importance of public safety along the way, saying people must be able to exercise their voting rights without intimidation or manipulation.

On his meetings with Awami League and BNP leaders, he said they are anxious to contest the elections on December 18 but are troubled by the emergency rule.

On the acceptability of the election if the BNP keeps from participating, Brown said, "It would be real disappointment for all people who hope for a stable democracy in Bangladesh" and hoped that both the major parties will go to the polls.

The British minister said Chief of Army Staff General Moeen U Ahmed is very keen to see the election take place on December 18. "The caretaker government has done its part and it is the responsibility of the political parties to step up," he added.

On what impact it would have on the UK's relations with Bangladesh if the elections were not held and the present government stayed on, he said he hopes the government will hold the election by the end of the year for a democratic transition.

British High Commissioner in Dhaka Stephen Evans was present at the press conference.

Pitfalls abound, however, in trying to deepen the regulation of investment banking, and analysts warn many of the sophisticated products introduced over the past decades were developed one step ahead of regulators.

"I am not sure that we need more regulation but better regulation if we want to avoid a new wave of financial innovations that would only compound the problem," said De Boissieu.

France and Germany want to put the squeeze on tax havens and there are calls to establish minimum reserve ratios for banks, clamping down on executive pay packages and improving overall transparency.

Leading French economist Jean-Hervé Lorenzi said the Bretton Woods II agenda should be extended to include oil prices and food production, components that can't be overlooked in the inter-connected world economy.

"This is the only way. We are headed for a worldwide crisis and if we don't tackle all of the issues, we are going to run into major difficulties," said Lorenzi. "Governments are facing a worldwide recession, they have no choice."

The Bretton Woods agreements laid out the framework for stability in the world financial system as leading powers began rebuilding their economies after World War II.

Based on the creation of the IMF as lender of last resort for countries with balance of payments crises and the introduction of a fixed exchange rate system around a dollar-gold standard, it was drafted in the light of lessons of how the stock market crash of 1929 fed the Great Depression of the 1930s.

Dec 18 polls

FROM PAGE 1
President Zillur Rahman's Gulshan home. Key leaders of the combine attended the meeting.

However, Gono Forum, an alliance member, had no representatives there. This is the first time AL kept Gono Forum out of a 14-party meeting by not inviting the Dr Kamal Hossain-led party due to AL's reservations.

Chaired by Zillur, the meeting decided to strengthen activities of the combine ahead of the national elections. The meeting also decided to form an alliance with all "secular and democratic forces" ahead of the elections but the issue of forming a grand alliance with Jatiya Party (JP) did not come up for discussion.

Condemning the government for holding a dialogue with Jamaat-e-Islami Secretary General Ali Ahsan Mohammad Mojahid as he is a "fugitive", the 14-party leaders asked the government to arrest him.

Asked whether JP is a secular and democratic political party, Tofail Ahmed, AL Presidium member in charge of coordinating activities of the combine, asked journalists to get the answer from the party concerned.

Briefing newsmen after the three-hour meeting, Tofail said the 14-party combine thinks that the state of emergency is the main barrier to holding a free, fair and credible polls.

He said the government must hold the elections on December 18 as people have doubts about timely elections.

Jatiya Samajtantrik Dal President Hasanul Haque Inu, National Awami Party General Secretary Enamul Haque and Gono Azadi League President Abdus Samad, coordinator of 11-party, also spoke to the press.

Earlier, an AL delegation met British Minister for Asia, Africa and United Nations Lord Mark Malloch Brown at the British High Commission. AL Presidium member Abdur Razzak led the delegation.

Briefing newsmen at Tofail's Banani home, AL Presidium member Matia Chowdhury said the delegation discussed with the minister whether the new elected government would face any economic crisis.

Toxic milk
FROM PAGE 1
confusion over different results received from three labs on the presence of melamine in powdered milk available in the market.

The department of chemistry of Dhaka University found traces of melamine in eight popular brands of milk powder. Bangladesh Standards and Testing Institution (BSTI) said that the BSTI and Plasma Plus lab found the toxic melamine only in one brand of milk, Yashili 1.

"We did not talk to the department of chemistry of Dhaka University about the testing procedures or the reagents used. Since there is confusion, we would request the government to send the samples abroad for further testing," Director General of BSTI Azmal Hossain told The Daily Star.

He said the government might concurrently go for further testing, coordinating the scientists of BSTI, Dhaka University and Plasma Plus lab. Bangladesh Council of Scientific and Industrial Research (BCSIR), the country's premier laboratory for testing chemicals, has no reagents for testing the presence of melamine and that is why the samples could not be sent there, he added.

Chemistry department sources, however, said they are confident about their report as they took time and tested the samples several times before submitting it to the BSTI.

When asked about the confusion, Additional Secretary to the ministry of commerce Golam Mostakim said the standards and testing methodology might be different at the laboratories which gave different results. He said there is a possibility of sending the samples abroad for further testing.

The additional secretary also said the inter-agency taskforce urged all authorities concerned yesterday to do their jobs with utmost seriousness and in case of any problem they should immediately inform the committee of the matter.

Even if they have recommendations in this regard, including amendments to existing laws, they are requested to place it before the committee," he said adding that the activities should go on in a coordinated way.

Meanwhile, parents who feed powdered milk to their children are panicked and quite helpless.

Even though the melamine scandal broke out nearly a month ago, people are still in the dark as to which brands they should trust.

Melamine deposits in the kidneys, hinders their functioning and gradually damages them. Recently four babies died in China after having formulas tainted with melamine and more than 54,000 children there became sick.

Obama seen victor

FROM PAGE 16
Keeping his composure, Obama in turn accused McCain of trying to distract voters on a day that New York's Dow Jones share index posted its second-biggest points fall ever on mounting fears of a crippling US recession.

McCain, 72, said he did not care about "an old washed-up terrorist" like Ayers, once a bomb-throwing militant in the Weather Underground group who is now a Chicago professor of education.

"But as Senator (Hillary) Clinton said in her debates with you, we need to know the full extent of the relationship with you," he said, glaring at Obama seated on the other side of a narrow table at New York's Hofstra University.

McCain also assailed the liberal group ACORN, which is accused in several states of adding fraudulent names to pro-Obama voter registration lists, and chided Obama for persistently linking him to President George W. Bush.

"Senator Obama, I am not President Bush. If you wanted to run against President Bush, you should have run four years ago," McCain said, proclaiming his record of bucking the Republican line in contrast to Obama's inexperience.

Obama, 47, accused McCain of wildly distorting the truth over both Ayers and ACORN, and said voters were turned off by the "100 percent negative" tone taken by the Republican's campaign at a time of rampant economic anxiety.

Obama said he could be forgiven for mistaking McCain's policies for Bush's "because on the core economic issues that matter to the American people... you have been a vigorous supporter of President Bush."

"I don't mind being attacked for the next three weeks," the Illinois senator added during one of several spirited clashes in the 90-minute debate, which also encompassed abortion, energy, health care and education.

"What the American people can't afford, though, is four more years of failed economic policies and what they deserve over the next four weeks is that we talk about what is most pressing to them, the economic crisis."

Both men appealed to "Joe the Plumber," or Toledo, Ohio resident Joe Wurzelbacher, who found instant fame when he bumped into Obama on Sunday during a round of door-to-door canvassing and expressed concern that Obama's tax plan would hit him hard.

"Joe wants to buy the business that he's been in for all these years," McCain said. "Worked 10, 12 hours a day. And he wanted to buy the business, but he looked at your tax plan and he saw that he was going to pay much higher taxes."

Obama hit back with his version of his chat with Joe.

"What I essentially said to him was, five years ago, when you were in the position to buy your business, you needed a tax cut then."

"And what I want to do is to make sure that the plumber, the nurse, the firefighter, the teacher, the young

Counsel remains
FROM PAGE 16
order from the High Court on the proceedings of Barapukuria coal mine corruption case against Khaleda.

He said Hasina never ruled out sitting down with Khaleda, noting that individuals who opposed such a meeting between the two former premiers failed to meet the Awami League president in London.

"We will see what happens after her (Hasina) return," he said.

SJC chooses
FROM PAGE 16
Aziz and Justice Bijan Kumar Das.

The president will appoint two of them as judges of the Appellate Division, as two posts at this division have been lying vacant since July 2.

The commission took the decision of recommending the judges for appointment to the apex court at its first meeting after formation.

Chief Justice MM Ruhul Amin, chairman of the Supreme Judicial Commission, chaired the meeting at his office in the Supreme Court building yesterday afternoon. Commission members Law Adviser AF Hassan Arif, Appellate Division judges Justice Md Tafazzal Islam and Justice Md Joydul Abedin, High Court judges Justice Shah Abu Nayeem Mominur Rahman and Justice Md Abdul Quddus, and Supreme Court Bar Association President barrister Shafique Ahmed attended the meeting.

Meeting sources said the commission also determined some principles for appointing judges in the High Court division.

The lawyers will have to have experience of practising at the Supreme Court for at least 18 years and be at least 50 years of age for being a candidate for the High Court judge.

In the meeting, the law adviser was given the charge to prepare a draft of the principles. He has been asked to place the draft before the commission at its next meeting on October 30.

The HC now has 61 judges. In 2004, 19 judges had been appointed, raising the number of the HC judges to 72. But 11 of them have either retired or been promoted to the Appellate Division.

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