

Govt seeks control

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declined to elaborate the recommendations.

Contacted by The Daily Star over telephone, committee member and former law minister Abdul Matin Khasru said executive magistrates would be empowered to take cognisance of offences in only extreme situations to maintain law and order. "But the executive magistrates in no way can hold trial of offences. Only the judicial magistrates will do that," Khasru said.

Asked about his reaction to the latest development, eminent jurist Shahdeen Malik last night said, "If the executive magistrates are allowed to take cognisance of offences in only special circumstances, then I think there is nothing wrong with it."

On mobile courts, Malik said, "If the executive magistrates running the mobile courts take cognisance of offence and hold trial instantly, it will conflict with separation of the judiciary. The executive magistrates can be empowered to take cognisance of offences but they will have to send the cases to the judicial magistrates for trial."

He also said he would be able to make detailed comments after going through the committee's recommendations.

The admin cadres, appointed as magistrates before the separation of the judiciary, exercised the authority to take cognisance of offences and hold trials. Following the separation of the judiciary, they lost the sweeping authority and they were officially termed executive magistrates.

The admin cadres on Monday placed an eight-point proposal before the parliamentary body, seeking the authority to take cognisance of offences and hold summary trial of some offences.

The judicial service association at that meeting strongly opposed the admin cadres' proposals terming those almost tantamount to contempt of the Supreme Court verdict on separation of the judiciary.

That day the committee in principle agreed to empower the executive magistrates with the authority to take cognisance of offences.

In the wake of widespread criticism against the move and following the High Court suo moto rule asking the government to explain as to why the ordinances on separation of the judiciary were not ratified in parliament, the committee apparently retreated from its earlier stance.

The committee chairman said the committee would place its report in parliament on March 15, the very day the current session of the House will return from recess.

The ordinances promulgated by the last caretaker government, separating the judiciary from the executive, were not ratified in parliament and the government later placed a new bill in parliament

for continuation of separation of the judiciary.

The House sent the bill to the parliamentary committee for scrutiny. Since then, leaders of admin service have been lobbying hard to reclaim the power to take cognisance of offences.

During scrutiny, the committee could not find any faults or errors in the bill, sources in the committee said.

The committee also decided to recommend that the House reinstates the metropolitan police commissioners' power to exercise the metropolitan magistracy to maintain law and order in the areas concerned.

Following the separation of the judiciary, the district magistrates in the metropolitan areas were given the authority. The police service association on Monday attended the parliamentary body's meeting and suggested that the power is returned to the police commissioners.

Interestingly, Law Justice and Parliamentary Affairs Minister Shafique Ahmed, who piloted the bill on separation of the judiciary in parliament, has been absent in the committee meetings since Monday.

The law minister is not a member of the committee as he is a technocrat minister. But he had attended the committee's meetings before on special invitations. The committee had invited him to attend the last few meetings, sources said.

Lanka seizes hospital from rebels

Troops kill 12 more rebels

AP, AFP, Colombo

The Sri Lankan army yesterday seized the last remaining medical facility held by separatist Tamil Tiger rebels in the north of the island and killed 12 rebels in fighting, a military official said.

Military spokesman Brig Udaya Nanayakkara said the troops took the facility near Puthukkudiyiruppu after launching an operation Wednesday.

"We took complete control this morning," he told The Associated Press. "The hospital building was intact, but we are not sure about any of the equipment."

There was fighting during the operation, Nanayakkara said, but no confirmation yet on casualties on either side. In early February, more than 300 patients were forced to flee the hospital because of fighting.

Security forces captured more territory in northeastern Sri Lanka after heavy fighting that killed at least 12 rebels, the military said Thursday.

Troops took control of the abandoned Puthukkudiyiruppu hospital following Wednesday's clashes, a military official said.

12 grenades

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remand yesterday in connection with his suspected involvement in the mutiny.

In other developments, the CID team held several meetings with members of Scotland Yard from UK and the Federal Bureau of Investigation (FBI) from USA.

CID senior Assistant Superintendent of Police (ASP) Abdul Kahar Akond told The Daily Star yesterday that members of Scotland Yard, the FBI and CID are coordinating the investigation into the BDR carnage.

Akond, the investigation officer (IO) of the mutiny case, yesterday refused to comment about the alleged involvement of Jama'atul Mujahideen Bangladesh (JMB) in the Pilkhana mutiny.

He said, "I cannot comment on this now as the investigation is yet to be completed."

Mizanur Rahman, assistant commissioner of police, Lalbagh Zone, said, "A total of 17 abandoned grenades were found out of which 12 were defused. Others were found to be inactive."

According to sources, the grenades were found near the houses of different senior officials of the BDR, including slain BDR Director General Maj Gen Shakil Ahmed and Col Mujibul Huq.

Officer-in-charge of Hazaribagh police station Mohammad Abdur Razzak said, "Torab Ali, arrested by Rab members from Moneshwar Road on Tuesday, was taken on remand in connection with suspected involvement in the BDR mutiny."

He is however not shown arrested in connection with the BDR carnage.

Ali, the president of Bangladesh Rifles (BDR) welfare association for retired BDR personnel, is the only civilian arrested in connection with the BDR mutiny.

So far 236 persons have been shown arrested in connection with the mutiny and of them 14 BDR members are being questioned by CID, sources said.

Independence

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The ceremonial national parade has been persistently organised at the National Parade Square to celebrate the nation's independence. But a pall of gloom descended upon the parade square this year after the funerals of the army officers killed in the BDR mutiny.

Contingents of freedom fighters, Bangladesh Army, Navy, Air Force, Bangladesh Rifles, police, coastguards, ansar-VDP, different law enforcement agencies and BNCC take part in the parade. An exhibition of Bangladesh military prowess also highlights the display.

The president and the chiefs of the three services take salute in the spectacular march. Senior civil and military officials also attend the parade.

Govt to enact

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Court (HC) bench issued a suo moto rule on the government to explain under which legal authority the judicial magistrates are functioning now that the ordinances effecting separation of the judiciary are not in force.

Shafique said the Attorney General's Office would communicate to the HC that the government has taken measures to enact the bill on the ordinances.

The proposed law would approve with retrospective effect all actions that judicial magistrates had done since separation of the judiciary, and there is no room for misunderstanding here, he added.

The law minister also observed that people have already been reaping the benefits of the separation, as the judicial magistrates now do not have to concern themselves with anything other than their judicial functions.

In April 2007, the caretaker administration promulgated two ordinances amending the Code of Criminal Procedure (CrPC) 1898 to separate the judiciary from the executive in line with the Supreme Court's directives.

The ordinances took effect on November 1 that year.

Despite being recommended by the special parliamentary committee, they were not ratified within the stipulated time limit and ceased to have effect on February 25.

Later though the government placed a bill on the CrPC (amendment) ordinances.

Replying to a query, Shafique yesterday said the border troops with links to the Pilkhana carnage can be tried under the Army Act, 1952, since BDR has been raised as a disciplined force.

However, he added, the decision whether to hold the trial under conventional law or special tribunal acts would be taken once the probe committees submit their reports.

JMB hand found

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anything about JMB links to the carnage that left 74 people including 52 army officers killed and scores injured.

ASP Abdul Kahar Akond of CID said, "As investigation officer of the case I cannot say at this stage if JMB were involved. At least not until the investigation is complete."

Recently, a team working under 'Operation Rebel Hunt' has raided in vain houses of four suspected BDR mutineers--Anwar, Ismail, Kawsar and Aftab--at Bagmara in Rajshahi, an area once considered a militant bastion.

The four are believed to have been JMB operatives before joining the paramilitary force.

Of them, Anwar gained notoriety as a close associate of Bangla Bhai, JMB operations commander executed along with Mujahideen supreme Shaikh Abdur Rahman and four others in 2007.

He was allegedly involved in Awami League leader Yasin's murder at Bagmara in 2004.

An officer who is among those in the hunt for the four, said around a dozen rebel soldiers took shelter at Ismail's house at Sakoa village in Bagmara after February 26.

FARUK KHAN AT IBFB
Coming out of the inaugural session of the annual general meeting of International Business Forum of Bangladesh (IBFB) at a city hotel yesterday

morning, Faruk Khan said JMB links to the BDR massacre have been found, and that things would get clear after inquiry.

Earlier, addressing the function there, he said, "The barbaric acts of violence at Pilkhana were a deep-rooted conspiracy against the country and its secular-minded people."

Faruk blasted the opposition parties for 'not standing by the government' during the crisis stemming from BDR mutiny. He alleged they [BNP and allies] were nowhere to be seen on the first two days of the mayhem. They did not utter a word at that time.

Meanwhile, a Dhaka court yesterday placed 12 more suspected BDR mutineers on five days' remand each for interrogation.

Those remanded are subedar Gofran Mallick, havildar Rezaul Karim, lance nayeks Gausul Alam and Yusuf Ali, sepoy Joyanta Kumar Sarkar, Jamir Ali, Abdul Latif, Sohrab Hossain, Shariful Islam, Rafiqul Islam, Ismail Hossain and Masudur Rahman.

Metropolitan Magistrate Mohammad Abdur Rahim passed the order after CID produced the 12 with a prayer seeking a 10-day remand for each.

Govt to probe

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intelligence unit), Special Branch (SB) and Detective Branch (DB) of police.

LGRD Minister Syed Asraful Islam, Law Minister Shafique Ahmed, Information Minister Abul Kalam Azad, Telecommunications Minister Razi Uddin Ahmed Razu, Expatriate Welfare and Overseas Employment Minister Khandaker Mosharraf Hossain, Liberation War Affairs Minister ABM Tajul Islam and State Minister for Home Affairs Tanjim Ahmed Sohel Taj attended the meeting.

They suggested that trained and capable officers are appointed in the intelligence agencies and they are provided with modern and better logistic support. Briefing newsmen after the meeting, Ashraf, also spokesman for the ruling Awami League (AL), said, "Now the government's first priority is to conduct the investigation into the incident, identify the culprits and ensure their punishment."

An official, who was present at the meeting, said the government is now working to implement three goals. They are: identifying the people involved in the mutiny and the massacre and their proper trial, rebuilding the paramilitary force and rehabilitating the families of those killed in the carnage.

The meeting also observed that the structure of BDR has been totally dismantled. The meeting requested Director General (DG) BDR Mainul Islam to visit all the sectors and battalions of the force across the country in order to boost morale of the officers and soldiers.

The meeting observed that such an incident never took place in the country since its independence in 1971. The meeting reviewed the country's overall law-and-order situation and asked the Inspector General of Police (IGP) Nur Mohammad to intensify drives in the city to curb incidents like snatching and robbery by drugging.

The cabinet secretary, home secretary, inspector general of police (IGP), Chief of General Staff Lt Gen Sina Ibn Jamali, Principal Staff Officer M Abdur Mobin, director general (DG) of Rab, DG BDR, DG Ansar, DG coastguards also attended the meeting.

UK minister

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sincerely hope the government will not only get through this particular crisis but also deliver fully on its (electoral) manifesto commitment," he said replying to queries at a press conference at a city hotel at the end of his three-day visit to Bangladesh.

This is a newly formed government, and it should be given time to deliver, he told a questioner.

Incidents like the BDR mutiny occur in political cycles, and government needs to meet that challenge and continue to govern. And that is the sign of good government, he added.

"Governments across the world are faced with challenges like this and they always do their best to overcome that," he said. "I am confident that the government of Bangladesh will also do its best to overcome this challenge."

Asked if the BDR mutiny and massacre would affect the democratic order in Bangladesh, the British minister said, "The government was elected on a strong mandate, on a high turnout (in election) and it is recognised as one of the fairly contested elections across the world."

He added, "I think democracy is alive and well here in Bangladesh."

In reply to a question on militant links to the carnage, Foster said, "Let the investigation continue and bring out the facts before anybody comments on those."

Foster praised Bangladesh government's commitment to tackling poverty, adapting to climate change and the moves to strengthen parliamentary democracy.

British aid to Bangladesh will rise to 150 million pounds a year by 2010, he said.

"Over the next five years, the UK development partnership with Bangladesh will be focused on tackling extreme poverty, climate change, improving governance, building better social services and improving the status of women," he added.

British High Commissioner in Dhaka Stephen Evans and DFID chief Chris Austin were

Mother Teresa

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for the award in honour of his 'martyrdom' and his contribution to Bangladesh's independence, said Biswas.

Hasina herself had received the Mother Teresa Lifetime Achievement award in 2006, he said.

The award-giving ceremony on August 26 would mark the birth centenary of the Nobel laureate Mother.

Biswas said the committee will give away the Mother Teresa Lifetime Achievement Award and the International Award for 2009 at a function on March 29.

Free ACC

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good governance are parts of the things," Swedish Ambassador Britt F Hagstrom told reporters after a meeting between ACC Chairman Hasan Mashhud Chowdhury and ambassadors of the EU member states in Bangladesh.

"We discussed the work of the ACC. Even in the future, it's very important for the ACC to be an independent institution and continue its importance and good work," said the Swedish envoy whose country is currently holding the EU presidency.

Ambassador Hagstrom said, they also discussed how to work with anti-corruption, including preventive measures and linking them to other issues of the governance.

Asked if the ACC is working independently during the political government, she said, "I think the framework is there to continue to work as an independent institution. We hope this will remain so. This is what we also discussed."

Asked if the ACC leadership should be allowed to continue despite criticism from the government, including the prime minister, Hagstrom said, "I think that also calls for continuity to see the performance of the Commission."

Declining to discuss about individuals as to who should be there, she said the ACC should be judged based on their performance and the works they are carrying out and the works that are carried out "that is something we want to see continuing."

Asked if the EU is happy with the performance of the ACC, the Swedish envoy said, "Yes, we've been happy with the performance of this Commission so far. We're supportive of this commission with development assistance."

Ctg rain trees

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area started losing their leaves early in 2007 from a deadly fungal epidemic called Dieback.

According to botanists, a pathogen called 'Botryodiplodia theobromae' might have caused the condition.

Experts say dieback is caused either by fungal pathogens or other reasons related to soil, lack of nutrition and an unsuitable environment. "At the initial stages, the leaves of an affected tree turn yellow and eventually all the leaves fall off," said one botanist.

After the outbreak of the disease in April 2007, around 50 rain trees appeared 'dead like' in a span of only two weeks, as only the trees stood bereft of any leaves.

The disease slowly spread to other trees in the city as well as Patiya and Dohazari upazilas.

Experts who carried out research on the condition at the time, recommended that the infected portions of the trees be cut off before they contaminate other healthy plants.

They also urged authorities to find out the real cause behind the appearance of the disease, and also asked the authorities not to uproot the trees or have them cut down before this was found out.

However, authorities of Bangladesh Railway (Eastern Zone) -- which owns the trees -- decided to cut off the infected trees and sell off the timber in an auction.

Accordingly, a bidding was held in January 2008 and M/s Halim & Bros won the contract for the job. They cut down 10 trees before stiff opposition from locals and environmentalists forced them to halt their work.

Now this spring, the 'dead' rain trees have started growing new leaves and branches. The CRB and adjacent Tiger Pass and Polo Ground have regained their green look again.

Vice Chancellor of Pabna University of Science and Technology (PUST) Prof M Amin Uddin Mridha said, "The railway authorities should have found out the reason behind the sudden epidemic instead of cutting down the trees. They should have just cut off the infected portions."

"Besides, the trees could have started growing back much earlier if proper care was taken in due time," said the botanist who is also the vice chairman of Biodiversity Research Group of Bangladesh.

"Nevertheless, it's good to see the trees coming back to life again," Mridha said.

Iraq jails

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an official visit," Attabi said, adding: "We will appeal this decision."

Zaidi, whose shoe-hurling gesture is considered a grave insult in the Arab and Muslim world, had risked up to 15 years in jail on the charge of aggression against a foreign head of state during an official visit.

The former US president, deeply unpopular in the Arab world for ordering the 2003 invasion of Iraq, had been at a globally-televised media conference with Prime Minister Nuri al-Maliki when Zaidi let rip with his shoes, zinging them at Bush, who managed to duck just in time.

When Judge Abdulamir Hassan al-Rubaie asked Zaidi if he was innocent, the journalist responded: "Yes, my reaction was natural, just like any Iraqi (would have done)."

After the verdict, his 25-strong defence team emerged to scenes of chaos outside the court, where several family members screamed: "It's an American court... sons of dogs."

Wearing a light-brown suit, brown sweatshirt and thin-framed glasses, Zaidi had been brought into the packed courtroom under a heavy police escort.

Chief defence lawyer Ehiya al-Sadi had argued that his client's motives were "honourable."

"He was only expressing his feelings. What he could see was the blood of Iraqis at his feet when he watched the US president speaking about his achievements in Iraq."

He also argued that although Iraqi law considered it an attack on a visiting head of state, "his throwing of the shoe did not cause any injury or damage."

"The president did not lose a leg or hand or finger. It was not an attempt to murder but an attempted assault."

"But it was not a real assault because he wanted to insult the president. The way he did it was buy throwing a shoe not a mortar or bomb."

Clashes mark

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The lawyers, Sharif's party and other small groupings plan to converge on the parliament building in Islamabad on Monday from cities across the country and remain there until their demands are met. The government is trying to stop them from leaving their home cities. It has banned protests in much of the country and arrested more than 360 activists.

Meanwhile, Pakistan police forcibly detained activists and prevented a convoy of protesters from leaving the country's biggest city Karachi on Thursday after barricading the highway, witnesses said.

"We have instructions not to allow any political activists to cross the barrier," police official Anwar Ahmed told AFP.

Riot police armed with truncheons manhandled about 20 activists into prison vans at the main exit point from Karachi soon after the convoy of buses and cars arrived on the scene, said an AFP reporter.

Security forces sealed off the road with trucks and containers, while policemen and women fanned out in a bid to prevent the convoy proceeding.

Authorities have rounded up hundreds of activists and invoked a 19th century British law to outlaw demonstrations in the key political provinces of Punjab and Sindh, where the "long march" began in Karachi on Thursday.

Organisers are hoping that hundreds of thousands of lawyers, opposition supporters and civil activists will join the four-day convoy on the 1,500 kilometres (940 miles) to Islamabad, where it is supposed to arrive Monday.

They want unpopular President Asif Ali Zardari to act on his promise to reinstate judges sacked in 2007 by former military ruler Pervez Musharraf, including Supreme Court chief justice Iftikhar Muhammad Chaudhry.

Despite the crackdown, several hundred political party workers set off for Islamabad from the southern cities of Quetta and Karachi in convoys of buses and private cars, waving flags and cheering.

"Allah willing, we will achieve our target and we will go on a sit-in... until the day when the judges under the chief justice Chaudhry Iftikhar are restored," said Ali Ahmad Kurd, a leader of the lawyers in Quetta.

Earlier in Karachi, police arrested around 60 activists around the city and outside the high court, where they

"His goal was to insult Bush for the pain Iraqis have suffered."

He asked for the court to consider Zaidi innocent and take note of the fact that he had already been in jail for three months.

The trial first opened on February 19 but was adjourned to determine the nature of Bush's December 14 visit. The judge told the court that government ministers had declared it official.

There was standing room only on Thursday at the courtroom on the edge of Baghdad's high security Green Zone as some 200 family members, reporters and lawyers crowded in.

One of Zaidi's brothers, Uday, had told AFP he expected Muntazer to be found guilty, describing the trial as a "farce."

The Baghdadia television reporter told the court in February that he had been outraged and was unable to control his emotions when Bush started speaking at the December media conference.

"I had the feeling that the blood of innocent people was dropping on my feet during the time that he was smiling and coming to say bye-bye to Iraq with a dinner."

"So I took the first shoe and threw it but it did not hit him. Then spontaneously I took the second shoe but it did not hit him either. I was not trying to kill the commander of the occupation forces of Iraq."

As well as throwing the shoe, Zaidi also insulted Bush verbally, shouting: "It is the farewell kiss, you dog," before security forces wrestled him to the ground.

Zaidi said he had been beaten and tortured while in custody.

His brothers told AFP they wanted to bring torture charges against Bush, Maliki and his bodyguards at a human rights court in either Belgium or Spain.

A Syrian lawyer said she was preparing to file a complaint.

Dhaka urges KL

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She said the foreign secretary had already talked to the Malaysian high commissioner in Dhaka and made a formal request to review the decision.

Urging all not to get panicked over the issue, the foreign minister said "We have to consider the issue in the perspective of global economic recession" adding "I think that the panic-stricken situation is yet to come."

She also said it is the time to find out new labour markets to adapt to the impact of global meltdown.

Meanwhile, State Minister for Foreign Affairs Hasan Mahmud hoped that a positive result will come for Bangladesh in this regard after the Malaysian national elections to be held on March 30.

"The negotiation will continue until a solution is found," he told reporters after attending a programme at Hotel Sheraton.

After hearing the decision on cancellation of 55,000 visas for Bangladeshis, many workers gathered at the offices of the recruiting agencies and expressed their utter frustration over the uncertainty of their jobs.

"I had paid Tk 2 lakh to get a job in Malaysia six months back after borrowing the money. So, I am now totally upset about my future," said Mosharraf Hossain, who secured the Malaysian visa.

Talking to The Daily Star he also said many jobseekers like him are not able to contact their recruiting agencies or the brokers to know the information in this regard.

Bangladesh Association of International Recruiting Agencies (BAIRA) President Ghulam Mustafa said Malaysian government has allowed its employers to recruit 532 Bangladeshi workers who have been waiting at Kuala Lumpur International Airport since March 8 for the decision.

"This is a good development. We hope that Malaysia will reconsider its decision and we are trying to make all-out efforts in this regard," he told The Daily Star.

Meanwhile, some organisations working for ensuring labour rights expressed their concerns over the Malaysian

government's decision, saying that such a sudden decision would create frustration among the large number of Bangladeshis workers.

Jago Bangladesh Garments Sramik Federation and Karmojibi Nari in separate statements urged the government to take necessary steps to convince Malaysian government to review the decision.

SC stays bail

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submitted to the ACC.

The apex court's stay order will be effective until disposal of the appeal filed by Osman Gani with the HC against the sentence handed down by the trial court.

The four-member full bench of the Appellate Division headed by Justice Tazazzul Islam also asked both sides to take steps to dispose of the appeal immediately.

A team of joint forces arrested Osman from his Uttara residence in the city on May 29, 2007, and seized Tk 1 crore from his house.

On June 5 last year, a special court sentenced Osman Gani to imprisonment in the corruption case filed with Uttara Police Station on July 26, 2007.

Upon an appeal filed by Osman against the conviction, the HC on February 15 granted him an ad-interim bail for four months.

Chamber judge of the Appellate Division then, upon a petition filed by the government, stayed the HC order for four weeks and asked the government to file a leave to appeal with the SC against the HC order by this period.