

5th amendment

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Attorney General Mahbubey Alam told the court that the present government has decided not to proceed with the leave-to-appeal petitions against the HC verdict as it believes that the HC judgment, which was delivered on facts, documents and correct information, was correct, legal and justified.

He told reporters at his office that if the HC verdict is upheld following their withdrawal prayers, secularism—one of the four principles of the state—will automatically be restored in the constitution.

He, however, said incorporation of Bismillahir Rahmanir Rahim or resting trust on the Almighty Allah in the preamble of the constitution will remain upheld since the HC in its judgment had not objected to incorporation of these in the fifth amendment to the constitution.

If the HC verdict is kept valid, nobody will dare to illegally occupy state power in the future, he said.

The top law officer of the state said a certain quarter has been trying to mislead the people by saying that Bismillahir Rahmanir Rahim will not remain in the constitution if the HC verdict is upheld.

A few BNP lawyers have moved an application with the SC aimed at allowing BNP Secretary General Khandaker Delwar Hossain to serve this purpose, he said, urging all to remain cautious about their moves.

Earlier yesterday, barrister Ajmal Hossain, counsel for the writ petitioner, argued before the SC that the nation has been hijacked every time military has ruled the country.

He said after the prayer for withdrawing the leave-to-appeal petitions, none can

pray to the court to be an intervener of the case.

Advocate TH Khan and barrister Moudud Ahmed, counsels for Delwar, told the court yesterday that if the HC verdict is upheld, the continuation of governments and their actions from August 15, 1975 to April 9, 1979 will be hampered and a serious constitutional vacuum will be created.

TH Khan said the SC has already settled all the disputes regarding the rules from August 15, 1975 to April 9, 1979 in its historic judgement of the eighth amendment case. After the Appellate Division's verdict, the HC had no authority to declare and cancel the fifth amendment to the constitution, he said.

He also said the fifth amendment to the constitution should be upheld for the continuation of the rules and actions of the then governments.

On August 29, 2005, the HC declared the fifth amendment to the constitution illegal, which meant the rules of Khandker Mushtaque Ahmed, Abu Sadaat Mohammad Sayem and Maj Gen Ziaur Rahman from August 15, 1975 to April 9, 1979 were unlawful.

The court passed the verdict in response to a writ petition filed by Masudul Alam on behalf of the BIMWC to reclaim a cinema hall at Waizghat in Dhaka it had lost during the martial law rule.

The BIMWC once owned the Moon Cinema Hall at Waizghat. After the independence, the cinema hall was announced abandoned and the government handed it over to the Muktiyoddha Kalyan Trust.

Following a prayer from the then BNP-led government the Appellate Division stayed the HC verdict on September 1, 2005.

NOR'WESTER PM's chopper makes safe landing

BSS, Dhaka

An air force helicopter carrying Prime Minister Sheikh Hasina landed safely here yesterday evading a brewing storm that prompted her to cut short scheduled programmes at Tungipara, officials said.

"The helicopter landed the Teigaon Air Force Helipad, just ahead of the storm," a prime minister's office spokesman said.

He said, the prime minister was addressing a public rally at Tungipara where she went yesterday on a short visit but she cut short her speech to return to the capital as aides apprised her of the brewing storm.

But another helicopter, carrying many of her entourage members and officials, was forced to land in suburban Munshiganj as it took off in line with the practice from Tungipara minutes after the premier's chopper flew off.

The stranded entourage members later returned to Dhaka by road from Munshiganj.

UZ parishads

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Chairmen and other elected representatives can take charge of their offices in a day or two," Ashraf told journalists at his Secretariat office.

In reaction to BNP Chairperson Khaleda Zia's remark that they eliminated militancy from the country, Ashraf said, "Militancy still exists and we have to root it out from the country right now."

He said BNP had denied the existence of militancy in the country saying it was a creation of the media.

"I have signed a file that will reach upazilas tomorrow [today] or the day after," he said.

The minister said a circular in this regard will be issued in a week detailing the responsibilities of chairmen, vice-chairmen and other representatives.

The circular is now at the law ministry and will be sent to all upazilas once the LGRD and Cooperatives ministry gets it, he said.

"There is a law regarding the upazila parishad system and everything will be done to implement it," he said.

Earlier, he held talks with US Ambassador in Dhaka James Moriarty. They discussed bilateral issues including the country's national election and its return to democracy.

"It was a routine visit of Moriarty. The US, a development partner of Bangladesh, is involved in some projects of the LGRD ministry," said the LGRD minister.

He said the US wanted to see a fair election in Bangladesh, peaceful transfer of power to elected representatives and the country's return to democracy.

"The US played a vital role in this regard," he said.

Asked about Khaleda Zia's challenge to prove the embezzlement of Tk 20,000 crore in power sector during the tenure of previous BNP-led government, the minister said, the army chief has written about it in his book and if she wants to challenge anyone she should confront the army chief.

"One cannot hide the truth by blaming others," he said.

Commenting on the AL's council, which must be held within July 25 as per the Representation of the People Order (RPO), the AL spokesman said a committee headed by party Chief Sheikh Hasina will sit within a few days to bring necessary amendments to it in line with the RPO.

"The amendments will be placed at the council meeting for approval," he said.

If necessary, they would seek extension of the deadline from the Election Commission (EC), Ashraf added.

Sharif's party

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reassured the PPP of its 'unconditional' support without becoming part of the federal government.

The PML-N said it would continue to struggle for strengthening the democratic system, and both leaders agreed to respect each other's mandate at the Centre and in Punjab, The News reports.

Earlier, Shahbaz Sharif had invited the PPP to return to the cabinet in the Punjab.

After a meeting of PPP's senior leaders, Pakistan President Asif Ali Zardari offered the PML-N to return to the federal government.

However, the PML-N once again stuck to its stance of staying away from 'power sharing' at the Centre, and assured the PPP of continuing its unconditional support to the government without becoming its part.

According to the sources, most PPP members opposed the return of the PPP to the Punjab government, unless the PML-N returned at the Centre.

Meanwhile, Gilani and Sharif also discussed the current political situation of the country, including the issue of terrorism and the strategy to combat it.

Gilani assured the PML-N president of convening the APC as per the demand of Nawaz Sharif and taking all the political forces onboard to address the challenges faced by the Federation.

Terrorist groups may target Pak special police units

ANI, Karachi

The special police units and officers working against the terrorism in the country could be targeted by the terrorists in near future, a report in The Nationsaid.

The report stated that special police cells like Crime Investigation Department (CID), Anti Violence and Crime Unit (AVCU) and Special Investigation Unit (SIU) and officers associated with these units could be attacked by militants.

According to the report, the CID had recently nabbed some terrorists, who after severe interrogation, admitted that they were assigned the duty of paralyzing the special units of the police force by the Tehrik-e-Taliban Pakistan chief Baitullah Mehsud.

Sources also revealed that recently groups of militants were busted by the security officials. The militants confessed about being given the task of eliminating police officers.

Nor'wester

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Over 50 houses were also damaged while a large number of trees uprooted during the storm.

Our Dinajpur correspondent adds: A nor'wester lashed the district yesterday, killing at least two children and injuring a woman.

The dead were identified as Shadin, 4, son of Shah Alam of Chhatrapara village of Sadar upazila and Babu, 14, of Basudevpur village in Chirirbandar upazila.

Sonya Begum of the village was wounded as a tree fell on her during the storm that ruined a large number of structures in Sadar, Biral, Hakimpur Nawabganj and Goraghat and uprooted a number of trees.

Nor'wester lashed parts of Melandah, Sarishabari and Sadar upazila of Jamalpur district for the second time within 30 hours yesterday leaving a trail of destruction to over 200 houses and standing crops, reports UNB.

Eight people were killed in the severe storm in the district on Saturday.

Our Barisal correspondent adds: A nor'wester lashed the region yesterday evening leaving Jamal Hussein Bepari, 40, a tempo driver, killed and its four passengers injured as their vehicle overturned and fell into the roadside ditch during the storm in Mehendiganj upazila.

Our Kushtia correspondent reports: A boat carrying five labours capsized in the Padma River during a nor'wester that swept over the district yesterday evening, leaving Mejbair Uddin dead. The others managed to swim ashore.

At least 500 thatched houses and standing crops on about 5,000 acres of land were also damaged while hundreds of trees uprooted during the storm.

12 bigwigs

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Saifur Rahman's son Shaifur Rahman Babu, Awami League leaders Md Mohiuddin, and Abu Hanif Patwari, Babul Chowdhury, Masudur Rahman, Sabina Suraya and Mafraza Sultana.

Earlier on February 23, a HC division bench delivered split orders on the petitions.

Lawyers concerned told newsmen that the convicts would have to surrender before the trial courts within two weeks after receiving the HC judgment.

They said convicts, following the HC order, must be put in jail or surrender before the trial courts since those courts have no jurisdiction to grant them bail at this stage.

Additional Attorney General M Enayetur Rahim yesterday told the newsmen that the special HC bench yesterday delivered the verdict in line with a Supreme Court order that on April 23 this year directed former state minister Shahjahan Omar to surrender before the trial court within two weeks in connection with a corruption case.

Shahjahan Omar's case will stand as a pointer for about 70 others, mainly politicians and businessmen, who were handed down sentences for corruption after the 1/11 changeover.

ACC's panel lawyer Khurshid Alam Khan yesterday told The Daily Star the ACC would file appeals with the SC against the HC orders for granting bails to other convicts sentenced in absentia but did not surrender to the trial courts and are not in jail.

He earlier said that more than 100 people were convicted in the corruption cases and about 70 of them were tried in absentia. But most of the 70 convicts did not surrender to the trial courts.

cers working against Tehrik-e-Taliban (TTP) and other offshoots of the militant organisation.

Security officials, while confirming the reports about the threat, said all the terrorists groups must be busted before they initiate attack on them.

"We couldn't give them space now because they are trying to eliminate us and even our families," a security official said.

"Almost all defunct organisations including TTP, Lashkar-e-Jhangvi, Jaish-e-Mohammad, Sippah-e-Sahaba, Harkatul Mujahideen, Harkatul Ansar, Lashkar-e-Taiba, and other splinter groups are considering us as a threat and want to eliminate us," the official added.

Atiur vows

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Khan were also present at that time.

The new governor said his first task would be to provide policy support to the government and the private sector so that the effect of the global economic meltdown could be overcome.

He said he would try to build up a creative banking system so that other countries can follow it. The banking sector should play the role of a rescuer during any crisis, he added.

Inflation is the biggest enemy of the poor, Atiur said.

He said the central bank will always try to ensure that commodity prices remain stable and such support measures would continue.

Atiur said he would build up the central bank as a digitised organisation.

On the last day of office of outgoing governor Salehuddin on Thursday, the leaders of Collective Bargaining Agent (CBA) of the bank allegedly forced him to sign an additional increment order.

When asked whether the new governor would formally approve the previous governor's decision or take action against the CBA leaders, Atiur said he is yet to look into the matter.

However, he said all staff of Bangladesh Bank expressed their willingness to work with him. There would not be any problem working with them. If there is any tension that could be solved through institutional mechanism, he added.

Asked by journalists whether Bangladesh Bank will accept the policies of World Bank and IMF without naming any organisation Atiur said, "We will adopt home-grown development strategy. We will accept those policies which will help to take forward our strategy."

Ex-NSI boss

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Akbar sensed that the trucks and crane were needed to offload and carry something illegal but he could not imagine that it might be a huge consignment of illegal firearms and ammunition, said sources quoting the confessional statement.

He was arrested and placed on a two-day remand on April 19 after the owner and manager of Greenways identified him as the person who hired the trucks and the crane.

Akbar was placed on a 7-day fresh remand on April 26 as the investigators of Criminal Investigation Department (CID) failed to glean anything important from him in the two-day remand that ended on April 21.

He had been quizzed at the task force interrogation cell in Dhaka since April 27 before he was brought back to Chittagong for making confessional statement on Saturday.

5 of a family

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When the pickup-van reached Baroipara, it collided with a Dhaka-bound bus at about 5:30 am, killing five on the spot.

Eight other passengers of the pickup-van, including its driver and helper and relatives of Habibur Rahman, were also injured during the fatal accident.

The injured were admitted to nearby Kalikoir upazila health complex and other local clinics.

56,000 children

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The global economic slowdown, which initially looked as if it might leave Asia relatively unscathed, has begun to bite hard.

In its Asian Development Outlook survey in March, the bank said that the region's developing economies would expand by just 3.4 percent this year, down from 6.3 percent last year and 9.5 percent in 2007.

Water supply situation slightly better

STAFF CORRESPONDENT

Slightly improved water supply of Water and Sewerage Authority (Wasa) coupled with rainfall gave city dwellers a brief respite from unbearable sufferings caused by acute water crisis.

Rainfall, drop in temperature, less power cut and efforts of Wasa -- all these factors have contributed to the improvement of water crisis, said officials.

Rakib Hasan Razu, a resident in the city's water crisis-prone Shamir Akhra, said that the situation had improved a little for the last two to three days.

Nazmun Nahar, a resident of Gulshan, Road-30, said, "We have managed to get some water for the last two to three days. Though inadequate, we can at least get by with it."

The crisis of water had become so acute over the last two weeks that residents of Gulshan, one of the areas in the capital badly affected by water crisis, failed to manage even a single drop of water.

Another resident on Road-2 also said that water supply was not still adequate but the situation was not so bad.

Managing Director (MD) of Wasa Shahjahan Ali Mollah (additional charge) said that they could enhance water production a little with the rise of water level in the river Shitalakha.

The water level is going up by 2.5 centimetres every day, he added.

According to the MD, Wasa produced 187 crore litres of water on April 28 and it increased to 195 crore litres on May 2.

"The total demand for water in the capital is estimated at 220 crore litres," he said.

High consumption of water and demand for water lorries dropped noticeably following rainfall and drop in temperature, he said.

The rise of water level, relocation of electric generators where necessary to run Wasa pumps and connection of double-phase electricity supply to Wasa pumps in some cases facilitated supply, he added.

3 robbers

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Alerted about the robbery, villagers chased the fleeing robbers and encircled them near the Noakhali River, two kilometres east of the village.

Finding no way out, the thugs opened fire and attacked the villagers with sharp weapons, leaving 10 people injured.

At one stage, the villagers caught four robbers and gave them a good beating, killing three on the spot and injuring another.

Police recovered the bodies and sent those to hospital morgue for autopsy.

80 militants

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insurgents who have infiltrated the volatile area.

The army had previously put the death toll in Buner at 55 to 60, and said that altogether more than 200 militants have been killed in both districts since Operation Black Thunder began.

"In the Buner operation so far, 80 militants have been killed while three soldiers embraced Shihadat (martyrdom) and eight others were injured," the military said in a written statement.

"Reportedly militant commander Khalil has been killed in the Buner operation. His real name is Alam Buner and he was a mainstream leader of the banned organisation TTP (Tehreek-e-Taliban Pakistan)," it added.

TTP is Pakistan's umbrella Taliban organisation and is led by Baitullah Mehsud, who was accused by the former government of masterminding the 2007 assassination of ex-prime minister Benazir Bhutto.

The army previously put its own toll at about a dozen soldiers dead in the twin assaults.

Critics including the US have cast the peace deal as a surrender. It is of particular concern to American officials, who worry Swat will turn into a haven for militants near Afghanistan, where US and Nato troops are battling an increasingly virulent insurgency.

Over the past week, the Pakistani military has gone on the offensive to push the Taliban out of Buner, just 100 kilometres from Islamabad. An army statement Sunday said 80 militants had been killed so far along with three soldiers. An important local commander was believed to be among the dead militants, the statement said.

The dangerous nature of the area makes independent verification of the army statement near impossible.

Pushing the Taliban out of Buner does not mean the army is willing to try to oust them from their Swat Valley stronghold, even though its statement on Sunday took a harsh stance toward the weekend incidents in Swat.

New swine flu

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and one toddler in the US and has spread to 18 countries worldwide but experts believe the actual spread is much wider.

Mexico's health secretary said 11 people were suspected to have died from the virus in the previous 24 hours. The alarming news came after the epidemic's toll in Mexico appeared to have been levelling off.

The global caseload was nearing 800 and growing the vast majority in Mexico, the US and Canada. Colombia on Sunday reported South America's first confirmed case of swine flu a day after Costa Rica reported the first in Central America.

The Spanish Health Ministry said the country now has 20 confirmed cases of swine flu making it the European nation hardest hit by the virus.

Britain, Italy and Germany also reported new cases. But just over a week into the outbreak, the virus largely remains an unpredictable mystery.

Hong Kong which was criticised for delaying quarantine measures during the SARS outbreak sealed the downtown Metropark Hotel, where a sickened Mexican tourist had stayed, trapping 350 guests and employees inside.

About a half dozen police officers wearing masks guarded the hotel Sunday, even though all those at the hotel were reported to be healthy. One guest said he walked on the stairs for exercise and to alleviate boredom.

"It's highly inconvenient. That's what's affecting people, because it took us by surprise," said 45-year-old Kevin Ireland, who was on a business trip from New Delhi, India.

Scientists warn that the virus could mutate into a deadlier form.

"Influenza is unpredictable," said Dr. Tim Uyeki, an epidemiologist at the US Centres for Disease Control and Prevention who has worked on SARS and H5N1 bird flu outbreaks. "There are so many unanswered questions. This is a brand new virus. There's so much we don't know about the human infectious with this virus."

Right now, one of the biggest hurdles is a lack of information from Mexico. A team of international and Mexican virus sleuths is trying to piece together an epidemiological picture of who's dying and where transmission began, while also uncovering just how it's attacking people with severe illness. But details are emerging slowly.

Late Saturday, Mexico confirmed swine flu cases jumped by about 25 to 473, including the 19 deaths. A Mexican toddler also died in Texas days ago, for a worldwide total of 20.

President Barack Obama decided to sack army chief Rookmangud Katawal from his post with immediate effect as his clarification for defying the government orders was not satisfactory," spokesman Krishna Bahadur Maharasa said.

Last month, Prime Minister Prachanda had asked Katawal to explain why government orders on army recruitment and the firing of eight senior army generals had been ignored.

The dispute between the army and the ruling Maoists centres around Maoist demands that their former rebel fighters, who are currently confined to United Nations-supervised camps, be fully integrated into the regular army.

The army has however refused to take in the 9,000 hardened guerrillas whom it views as politically indoctrinated.

In a clear indication that the government intends to impose its will over the military, Maharasa said Katawal had been sacked in order to maintain "civilian supremacy" in Nepal.

The Maoists ended their bloody decade-long "people's war" in 2006, and won landmark elections last year before swiftly ending the world's last Hindu monarchy.

They have since been pushing to implement sweeping reforms, which include finalising the peace process by having their former rebel fighters become part of the national army.

The issue is seen as key to cementing peace in Nepal in the aftermath of the civil war, during which more than 13,000 people died.

Meanwhile, the main coalition ally of Nepal's ruling Maoists withdrew from the government on Sunday after the prime minister sacked the chief of the army, threatening to undermine the Maoists' hold on power.

"We have called back our ministers and withdrawn our support after the unilateral decision to sack the army chief," Amrit Bohara, senior leader of the Communist Party of Nepal-Unified Marxist Leninist (CPN-UML), told AFP.

"The Maoists took the step despite our disapproval. They breached the politics of consensus and their behaviour has endangered the peace process," Many government coalition partners opposed the sacking of Katawal and boycotted Sunday's cabinet meeting to express their support for the army.

"The Maoists have made a unilateral decision and we are against it. This could derail the peace process," said Bamdev Gautam, deputy prime minister and the leader of the Communist Party of Nepal-Unified Marxist Leninist (CPN-UML).

virus, and because we haven't developed an immunity to it, it has more potential to cause us harm," Obama said. Later, he spoke with Mexican President Felipe Calderon to share information.

Pablo Kuri, a Mexican epidemiologist, said three of the dead were children: a 9-year-old girl, a 12-year-old girl and a 13-year-old boy. Four were older than 60. The other nine were between 21 and 39 unusual ages for people to die from flu because they tend to have stronger immune systems.

Although most of the dead were from the Mexico City area, they came from different neighbourhoods in the metropolis of 20 million, and there were no similarities linking their medical backgrounds.

One theory for the deaths is that perhaps they sought treatment too late falling sick an average of seven days before seeing a doctor. Many of the sick around the world were people who had visited Mexico, including 13 of Britain's 16 cases.

The World Health Organisation earlier announced that a pandemic was imminent, but it has decided against declaring a full pandemic alert. Still, that doesn't mean people can relax, said Dr. Mike Ryan, WHO's global alert and response director.

"These viruses mutate, these viruses change, these viruses can further reassort with other genetic material, with other viruses," he said. "So it would be imprudent at this point to take too much reassurance" from the small number of deaths.

In the Canadian province of Alberta, health and agriculture officials said about 220 pigs on a farm were quarantined after being infected by a worker who had recently returned from Mexico. They stressed that swine viruses are common in pigs, and there was no need for consumers to stop eating pork as long as it's handled properly and cooked thoroughly.

The pigs are all recovering in the first documented case of the H1N1 human flu being passed to another species.

In Egypt, police fired shots in the air and tear gas at pig owners who stoned them in an attempt to prevent government workers from slaughtering their animals as a precaution against swine flu. A security official, who spoke on condition of anonymity because he was not authorized to talk to the media, said 12 people were injured in the Manshiya district.

Nepal army chief

nation's civil war -- is the latest episode in a worsening power struggle between the leftist former rebels and their one-time enemies in the army.

The cabinet meeting today decided to sack army