

## Custodians

**FROM PAGE 1**  
International Associates on June 26 to extract 10 lakh cubic feet of sand from areas near Basila and Jhaochar with three dredgers for 30 days.

The company, however, deployed 14 powerful dredgers in the area to lift a lot more sand than it is permitted.

An investigation by The Daily Star reveals that in connivance with the officials of the BIWTA the company is actually extracting sand at least 10 times the permitted quantity.

It instantly sells the sand to the booming construction sector in the capital.

The massive sand extraction raised alarm among the residents of Basila and the BIWTA suspended the permission following a report published in The Daily Star on July 13.

Dismayed by the suspension, officials of Ali International Associates openly said that they had given huge amounts of bribe to BIWTA officials in the hydrography, port, conservancy and engineering departments and at the headquarters to obtain the permission. They also vowed to return to extract sand.

On Friday, the company returned to the site with more dredgers and resumed extracting sand, claiming that they filed a writ petition with the High Court against the BIWTA decision.

Yesterday scores of vessels were seen lined up at Basila to carry sand amid continuous patrolling by hoodlums hired by the company in mechanised boats.

Residents of Basila said they feel very insecure about their homes because of a serious threat of riverbank erosion.

Engineers of the under-construction third Buriganga Bridge also expressed concerns, saying the foundation of the bridge will be under risk if so much sand is lifted from an area so close to it.

Senior Deputy Director and Port Officer (Dhaka River Port) Golam Kabir said his office did not take any action against Ali International Associates as he heard that the company had obtained a court order against the BIWTA decision of suspending the work order.

He, however, admitted that he has not seen or received any certified copy of the court order.

"I have not sent any official to the site as I have not received any complaint from anybody," Kabir said. "They [Ali International Associates] must have obtained a stay order against the BIWTA suspension order."

He termed the third Buriganga Bridge authority's claim false, saying, "Those engineers are lying. The sand extraction site is quite far away."

Asked about the necessity of such commercial activities at the cost of natural course and environment of a river, Kabir said when interested parties or contractors apply for sand lifting, BIWTA's hydrography department carries out a survey and files a report. Then the port, conservancy and engineering departments examine the report and approve the work.

The state coffers get about Tk 0.40 per square feet of sand extracted from the riverbed.

Kabir said the BIWTA chairman gives the final approval.

Usually, the chief engineer of BIWTA's dredging department asks for proposals from port officers on required dredging for maintaining navigability in a river.

At present, only Ali International Associates has an official work order to extract 10 lakh cubic feet of sand in the Dhaka river port area. There are other unauthorised sand lifters as well.

Faizur Rahman Khandker, director of Hydrography Department, said the BIWTA departments of port, conservancy and engineering together submit a proposal on how much sand and mud should be extracted from riverbeds for the navigability of a river. Hydrography department carries out a pre-dredging survey and also prepares an alignment.

But sand extractors often deviate from the approved alignment to maximise their commercial gain, he added.

Although the Hydrography Department is supposed to oversee the contractors' extraction work if the local BIWTA office demands for it, it never gets any request.

"The local office should constantly monitor such work and inform the Hydrography Department but I am not aware of sand lifting in the Buriganga near Basila," Khandker said.

BIWTA Director (port division) Mahabubul Alam said there are no specific policies for sand extraction from riverbeds. "Generally, we call for a spot quotation for the work," he said.

The BIWTA chairman is authorised to issue work order for sand lifting in a river port area while the land and shipping ministries approve work which is out of the port's jurisdiction.

The district administration of Narayanganj and Munshiganj maintains and leases out annually half a dozen "balu mahal" (designated sand pits) in the Meghna and Dhaleshwari outside the port areas.

Asked why BIWTA embarks on the process of issuing work order on applications submitted by private companies while the Buriganga requires no dredging at all, Mahabubul said the practice has existed for long.

BIWTA Chairman Md Abdul Mannan Howlader said, "Commercial sand lifters neither have required technology to extract sand from the riverbeds nor can they do it practically."

Abdul Matin, chief engineer of the BIWTA Dredging Department, said unscientific sand extraction from the riverbeds not only makes the rivers extremely unpredictable but also destroys their courses, navigable channels and environment.

Raqibul Islam, executive engineer of Dhaka Circular Waterway Project, under which the navigability of the Buriganga was ensured only four years ago, said the river is fully navigable and requires no further dredging.

## Fix migration

**FROM PAGE 1**  
workers seeking employments overseas, cut their health screening fees, and to reduce Dhaka-Saudi Arabia airfare. Saudi Arabia is the largest employer of Bangladeshi workers.

The parliamentary watchdog committee also asked the Bangladesh Association of International Recruiting Agencies (Baira) to fix the migration cost for workers at no more than Tk 1 lakh, and also to fix the minimum salary for them.

"We've asked Baira, the Bureau of Manpower Employment and Training, and Bangladesh Overseas Employment Services Limited to submit detailed recommendations for curbing irregularities in the sector including fake visas and fake work permits, and also other harassment the workers face in their attempts to go overseas," Jatiya Party lawmaker Anisul Islam Mahmud who is the committee chief, told reporters after a committee meeting in the parliament building.

The committee directed the agencies to submit their recommendations before its next meeting scheduled for the first week of October, he added.

"The committee also recommended bringing down the number of passport pages for migrating workers to 16 or 17 from the current 48, in order to bring down the processing fee," Anisul Islam said.

It directed all recruiting agencies under Baira to have online services for their clients as well, in a bid to establish transparency in the sector.

The committee chief also said the current airfare for flights to Saudi Arabia from Dhaka is much higher than the airfares for that destination from some cities in neighbouring countries, which have almost the similar distance.

Baira representatives who were present at the meeting admitted that the current fees they charge overseas employment seekers are between Tk 2 lakh and Tk 2.5 lakh, which are also much higher compared to the fees charged by the agencies in neighbouring countries.

Baira top leaders however could not give any satisfactory answer to the committee regarding why they charge higher, said Anisul Islam.

He said the committee strongly recommended increasing manpower in the labour wings of Bangladesh missions in at least 10 countries which are major importers of the country's manpower.

He told reporters that about 2.5 lakh Bangladeshis went abroad for work in the last six months, and an equal number is likely to take off in the next six months.

The committee also asked Bangladesh Bank to take steps to arrange legal channels where overseas employment seekers may deposit their visa fees.

It asked the government to form a national task force as well, to coordinate secured investment of expatriate workers' remittances in the country.

Anisul said the proposed bank for expatriate workers should not only deal with their remittances, rather it should work as a full-fledged bank with an emphasis on expatriate welfare. The bank is likely to start its operation within this year, he added.

The meeting also directed the recruiting agencies to take initiatives for exporting manpower to Romania, which recently expressed interest in hiring Bangladeshi workers.

## 3 more die

**FROM PAGE 16**  
The man's wife too has contracted H1N1 and is undergoing treatment in hospital.

A 42-year-old school teacher Sanjay Tukaram Tokre and a 53-year-old woman Fahmida Panwala, who was also suffering from severe diabetes and hypertension, died of the disease in Pune and Mumbai cities respectively on Saturday night, five days after India recorded its first swine flu victim in the form of a 14-year-old girl Reeda Sheikh in Pune on August 3.

The condition of a 28-year-old unidentified man admitted to a hospital in Mumbai was also stated to be critical.

Meanwhile, 74 people tested positive for the disease on Saturday taking the total number of confirmed cases across the country to 784.

Pune, the cultural capital of Maharashtra, has registered the maximum number of cases—34—and a team of experts has been sent to that city to assess the situation and put in place appropriate public health measures to contain the spread of the disease.

The Indian capital has recorded 13 confirmed cases of swine flu.

Indian Health Minister Ghulam Nabi Azad said doctors and scientists have been successful in checking the spread of the disease and 10,000 Tamiflu tablets, the only medicine available in the world against H1N1, will be sent to each district hospital in the country to cope with the pandemic.

## Secy-level talks

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The state minister said the government has taken the anti-Tipaimukh Dam long march positively. Now, it would be easy to show New Delhi that the people of Bangladesh are against the dam construction, he added.

Meanwhile, BNP secretary general Khandaker Delwar Hossain yesterday claimed that their government several times protested India's plan to build a dam at Tipaimukh during the Joint River Commission meetings while Awami League kept silent.

"The recent visit by a parliamentary team to the dam site in India was nothing but an eye-wash. They returned with satisfaction though our people are still in the dark," he said while addressing a discussion meeting.

Jatiyatabadi Krishak Dal, an associate body of the main opposition party, organised the meeting titled 'Tipaimukh Dam: Death Trap for Bangladesh' held at the National Press Club in the city.

Dr SI Khan, vice president of International Farakka Committee, presented a key-note paper in the meeting presided over by Mirza Fakhrul Islam Alamgir, a former state minister and president of Krishak Dal.

Among others, MK Anwar, Shamsuzzaman Dudu, Moazzem Hossain Alal and Sultan Salauddin Tuku took part in the discussion.

## Niko case

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forward for hearing the rule earlier issued by HC asking the government and ACC to explain why the proceedings of this case would not be declared illegal.

Barrister Rafique-Ul Huq appeared for Khaleda, while Advocate Khurshid Alam Khan stood for ACC.

The Niko case was filed on December 9, 2007 charging Khaleda with abuse of power in awarding a gas exploration and extraction deal to Canadian company Niko.

On September 9 last year, the HC granted bail to Khaleda in this case and issued the rule following a writ petition filed by her.

ACC recently filed the leave-to-appeal with the SC against the HC bail order.

Earlier on August 6 this year, the Appellate Division in an order upheld another HC order granting bail to Khaleda Zia in Barapukuria coalmine corruption case.

## Mugger killed

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led by him chased the gang in front of SKAMCO CNG filling station at Pallabi.

Witnesses said five muggers on two motorbikes reached the spot and shot Munni as she tried to resist them snatching her bag containing around Tk 2.2 lakh.

OC Malek said when locals and police team chased the fleeing muggers they opened fire prompting the police to retaliate.

After the shootout police recovered Taiyab's bullet-hit body from the spot and a pistol in his hand while his accomplices managed to escape the scene with the money.

Mohammad Elias Sharif, Additional Deputy Commissioner of DMP of Mirpur zone, said Munni drew the amount from a bank and was taking it home.

## Jamaat claims

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of carrying misleading and "syndicated reports" and protested those.

He said as a legitimate political party Bangladesh Jamaat-e-Islami submitted to the Election Commission its permanent constitution consistent with the Representation of the People Order (RPO).

According to the RPO, a political party will be disqualified from being registered as a parliamentary party with the EC if provisions in its charter contradict with the country's constitution.

"In some newspapers, Jamaat's commitment to establish an Islamic society has been labelled as contradictory to the democratic polity. This manifests their ignorance of democracy and Islam. Democracy might be honoured duly only when a truly Islamic society is established," Mojaheed said.

He also claimed that there is no discrimination against women and non-Muslims in his party. But Jamaat's constitution does not ensure equal rights to all irrespective of sex, religion and caste.

On women's representation, the Jamaat statement said it has finalised a provision of keeping 20-25 percent women in party committees at all levels.

The RPO, however, says a registered political party's charter must have provision for keeping 33 percent reserved posts for women at all levels and achieve the target by 2020.

In a special note incorporated in its charter, Jamaat claimed that it already has 20-25 percent women's representation in all its committees.

But in reality, the two top policymaking bodies of Jamaat—the 51-member central working committee and 15-member central executive committee—do not have a single woman member.

About non-Muslim members, the Jamaat secretary general said the party had non-Muslim members earlier and at present it has 20,000 non-Muslim associated members.

The issue has been updated in the party constitution. The difference between Muslim and non-Muslim members is only religion-based. Muslim members say Bismillah at the time of taking oath, which is not applicable for non-Muslim members, Mojaheed claimed.

"The objections raised through syndicated [newspaper] reports on religious issues are related to our religious belief. The mention of Allah, the prophet and the after world in Jamaat's constitution are very much part of our Iman [belief]. Our constitution and international law preserve this belief and rights. The Representation of the People Order does not create any obstacle to it. If it had, that would have violated the constitution," Mojaheed said.

"We believe democracy is the only way to change a government in a multi-party democracy system. People of the country are catalyst for change of government," he said.

Mojaheed expressed hope that following the statement "propaganda against Jamaat's charter" will come to an end.

**JAMAAT'S CHARTER VS COUNTRY'S CONSTITUTION**

In its charter submitted to the EC on July 22, Jamaat refused to accept the parliament's plenary power to make laws as authorised by the country's constitution.

Jamaat's charter says people must not accept anyone except Allah as the law-making authority and encourages efforts to bring about necessary changes

to the state system to ensure complete observance of Islam and safeguard the country's independence and sovereignty through revival of Islamic values and national unity.

The political party, which portrays itself as a religious, political, social and cultural movement, has been working for establishing the rule of Islam by bringing necessary amendments to the constitution and seeking people's mandate to that end.

But through its 1989 verdict, the Supreme Court declared illegal and void the eighth amendment to the constitution that amended articles 100 and 107.

The amendment destroyed one of the basic structures of the constitution by setting up six permanent benches of the High Court in different district headquarters.

All judicial powers of the republic are vested centrally in the Supreme Court of Bangladesh, which is comprised of two divisions—High Court and Appellate Division.

"By amending the constitution the republic cannot be replaced by monarchy, democracy by oligarchy, or the judiciary cannot be abolished," Justice Shahabuddin Ahmad said in the verdict.

Former chief justice Mustafa Kamal has echoed the view in his book "Bangladesh Constitution: Trends and Issues".

"Bangladesh has opted for a republican form of government. So any kind of monarchy, oligarchy, aristocracy or dictatorship is an anathema to its republican character," Justice Kamal says.

On the question whether parliament is free to legislate as it chooses, he replies in the negative.

"Even an amendment to the constitution cannot run counter to the preamble and article 7 of the constitution," he says.

Justice MH Rahman, one of the judges of the then Appellate Division that delivered the historic verdict, observed that when parliament itself cannot amend the preamble, it cannot indirectly impair or destroy the fundamental aims of the society mentioned in the preamble.

The preamble of the constitution embodies and proclaims in emphatic terms the nation's historical war of liberation, aims, objectives, ideas and the ultimate goals in establishing the People's Republic of Bangladesh.

...It shall be a fundamental aim of the state to realise through the democratic process a socialist society, free from exploitation—a society in which the rule of law, fundamental human rights and freedom, equality and justice, political, economic and social, will be secured for all citizens," the preamble reads.

Justice MH Rahman said, "In this case [the eighth amendment], we are concerned with only one basic feature, the rule of law, marked out as one of the fundamental aims of our society in the preamble."

But Jamaat's charter calls for organised efforts to end all types of repression, exploitation, corruption and injustice by establishing "just rule of Islam and of honest people".

On an easy-paced track, Bangladesh never looked behind after Tamim Iqbal and Zunaed Siddiqui had laid the foundation. Although Zunaed departed for a brisk 21, Tamim went on to score 63 off 68 balls that included seven fours.

Tamim also shared 137 runs for the second wicket with Ashraf before being caught out cover.

But by the time Tamim was out a victory for Bangladesh was all but confirmed.

Earlier, Bangladesh captain Shakib Al Hasan won a good toss and rightly sent the home side into bat. Left-arm paceman Syed Rasel struck in the very first over from where Zimbabwe had never recovered despite a valiant effort from Vermeulen, who struck a fine fifty on his return to the Zimbabwe fold after five years.

Right-arm paceman Nazmul Hossain was the most successful bowler with 3-29. Shakib was not as economical as he usually is, but the Bangladesh captain with his left-arm spin took two wickets for 42 runs, Mahmudullah, who had wonderful series in West Indies, also took two wickets for 39 runs.

The second match will take place at the same venue tomorrow.

## Typhoon forces evacuation of 1 million Chinese

AP, Beijing

Typhoon Morakot churned toward China forcing the evacuation of nearly 1 million people Sunday, a day after lashing Taiwan with torrential rains that caused the worst flooding on the island in 50 years.

Twenty-nine people were missing in southern Taiwan, Taiwan's Disaster Relief Centre said, and a woman was killed when her vehicle plunged into a ditch in Kaohsiung county in heavy rain Friday.

Morakot was centred 70 km off China's southeastern Fujian province Sunday morning. Taiwan's Central Weather Bureau said the storm had winds of up to 67 miles per hour (108 km per hour) and was headed northwest toward China at a speed of 7 mph (11 kph).

About 1 million people were evacuated from China's eastern coastal provinces by early Sunday more than 490,000 people in Zhejiang and 480,000 others in neighbouring Fujian. Authorities in Fujian called 48,000 boats back to harbour.

The meteorological station in eastern Zhejiang issued a typhoon alert and said the storm was likely to make landfall sometime between noon and nighttime, bringing heavy rain to coastal areas.

Thirty-nine outbound flights from the city of Wenzhou were cancelled Sunday, the official Xinhua News Agency said.

Morakot hit Taiwan late Friday but traversed the island Saturday and weakened to a tropical storm in the Taiwan Strait. Morakot smashed into the northern Philippines early Friday, triggering floods and landslides that killed at least 21 people.

## Man kills wife

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three years. She asked him to marry her on August 10. They got married in presence of family members on Friday on condition of a dowry of Tk 50,000.

Her family paid Tk 20,000 on Friday. The following day, Hasan with his wife was supposed to visit Runa's house as a custom. But he refused to go until the rest of money was paid.

His sister Shefali said they both went to sleep after dinner at midnight. The next morning, he said Runa committed suicide.

On information, her family went to Hasan's house and found her body hanging inside.

Police recovered the body from Hasan's house and sent it to Manikganj Sadar Hospital Morgue for autopsy.

Afsar Uddin said Hasan killed his wife for dowry. The body bore marks of torture.

Samsul Islam, Runa's father, filed a case with the Ghior Police Station.

## CHT land

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education. It must be corrected. Our main strength is that we have freedom fighters and secular forces on our side to meet the demand of the adivasi people," said State Minister for CHT Affairs Dipankar Talukder.

The adivasi people have been demanding constitutional recognition since 1972 and denied the right over the years.

"The government should undertake initiatives to ensure implementation of the important components of the CHT accord soon. The government should also decentralise administration in CHT to ensure rights of the adivasi people," said Danish Ambassador Einor Jensen.

The other demands came up at the meeting include election to the hill district councils, making adivasi people head in the relevant ministry and making the land commission effective.

"Four years of the current government would finish at a glance. So a roadmap must be chalked out to implement important components of the CHT agreement. Adequate safeguards need to be included in the Constitution of Bangladesh to end discrimination to the indigenous people," said Chakma Raja Debashish Roy.

Prof Sadoka Hali, Prasenjit Chakma (CHTDF/UNDP), European Commission Ambassador Brain Forey, ILO Country Representative Palu Da Boon Tala also spoke, while Jyotindra Bodhipriya Larma (Santu Larma) presided over the meeting.

The speakers hailed the government decision of withdrawing army from CHT and urged the government to continue it in accordance with the accord.

## Doubts raised that dead terrorist was top leader

AP, Jakarta

Police scrambled yesterday to identify the body of a suspected terrorist killed in a farmhouse gunbattle after discovering a plot to kill Indonesia's president in a suicide car bombing.

Forensics teams planned to collect DNA samples from family members of regional terror mastermind Noordin Muhammad Top, who was reportedly killed during a 16-hour firefight with officers in central Java on Saturday, said Dynno Chressbon, a government anti-terrorism adviser.

One of Noordin's wives and children were travelling to the capital Jakarta to provide samples, Chressbon said.

Malaysian authorities were also coming to Indonesia to assist in the identification, he said.

Noordin is a Malaysian citizen, blamed for some of the deadliest terrorist attacks in Southeast Asian in recent years, and a self-proclaimed al-Qaeda commander.

Serious doubts were raised Sunday that a massive manhunt for Noordin had come to a close after seven years. "We cannot yet confirm that this is Noordin Top," national police Chief Bambang Hendarso Danurisa said.

Chressbon expressed scepticism that Noordin was killed citing comments from former militants who told media that a militant leader

would have never been left alone at a hide-out. Only one body was recovered from the scene.

"I indeed doubt that the victim is the suspected terrorist Noordin Top," he said.

Retired Gen. Abdullah Hendropriyono, a former intelligence agency, said he also doubted if the dead terrorist was Noordin.

"It is impossible for a terrorist like Noordin to walk or stay alone, without guards," Hendropriyono told MetroTV. "If he is just alone it is hard to believe ... As an analyst, I bet it is not Noordin."

Widespread media reports of Noordin's death, which were attributed to anonymous police officers, were largely retracted Sunday.

The English-language Jakarta Post daily newspaper headlined: "Was it Noordin?" while Indonesia broadcaster TV One which aired dramatic footage of the siege and said Noordin was dead backtracked on its coverage.

Australia's Prime Minister Kevin Rudd told reporters in Canberra on Sunday he planned to speak with Indonesia's Susilo Bambang Yudhoyono later in the day to learn whether Noordin had actually been killed.

"It is still unclear as to who precisely has been killed and who has been apprehended," Rudd said.

## 48 more cases

**FROM PAGE 16**  
lawmakers and activists.

The MPP had earlier recommended withdrawal of two cases filed against former law minister Moudud Ahmed and former food minister and BNP leader Mir Shawkat Ali considering those to be 'politically motivated'.

The accused in the cases include State Minister for LG and Cooperatives Minister Jahangir Kabir Nanak, AL lawmakers Mirza Azam and Mohiuddin Khan Alamgir, former lawmakers Kamal Ahmed Majumder and Mohamam Mohiuddin and Mofazzal Hossain Chowdhury Maya.

The cases were filed during BNP-led four-party rule and the last caretaker government's tenure.

The MPP also asked the authorities to send the cases to the district magistrate of Dhaka for his opinion on withdrawal.

Earlier on different occasions, the MPP had recommended withdrawal of over 500 cases against Prime Minister and AL President Sheikh Hasina and others

including Deputy Leader of the House Syeda Sajeda Chowdhury and Home Minister Sahara Khatun.

On receipt of recommendations from the MPP on those cases, the district committee headed by the district magistrate reviewed the case documents and sent those to the home ministry for its decision.

The ministry had earlier decided to withdraw over 243 cases against Sheikh Hasina and other leaders. But it rejected the petitions for withdrawal of 66 cases as those were filed on charges of theft, robbery, murder and rape.

Meanwhile, the MPP had scrutinised documents of 20 cases filed against former prime minister Khaleda Zia and her family members. But he did not recommend withdrawal of any other cases. They had earlier submitted petitions for withdrawal of those 20 cases.

Hasina, Khaleda and many other political leaders had petitioned for withdrawal of 2,781 cases filed against them.

## Pak Taliban

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among the Taliban, security analyst Hasan Askari warned the threat was not over and said Pakistani authorities would have to re-establish control in the tribal areas.

"The current situation practically shows that the government also does not really have access to the area, which makes it difficult to verify the information that is coming through diverse sources," Askari said.

However, he said he believed that the TTP had "entered an uncertain phase due to a leadership crisis which may heighten internal conflict".

Baitullah Mehsud, branded by Washington as "a key al-Qaeda facilitator", had reportedly narrowly escaped previous attacks.

He was at the top of the Pakistani government's most-wanted list, having been implicated in the 2007 assassination of prime minister Benazir Bhutto, whose husband is now president.