

HABIBUR RAHMAN MOLLAH'S APPEAL AT SUPREME COURT

# ACC moves for early hearing to contest cases of big shots

ASHUTOSH SARKAR

The Anti-Corruption Commission (ACC) has taken initiative for early hearing of the appeal filed by Awami League (AL) lawmaker Habibur Rahman Mollah at the Supreme Court (SC) against the High Court (HC) verdict that ACC's sanction (permitting its officials) to file the graft case against Mollah was legal.

The commission has taken the initiative since it cannot contest more than 100 cases mostly against different politi-

cians and businessmen regarding their wealth statements due to a SC stay order on the HC verdict in the case of Mollah, said commission lawyer Khurshid Alam Khan.

After the Appellate Division delivers a judgment on his (Mollah) appeal, the ACC will get guidelines and instructions in filing and running cases against the corruption suspects at the courts, he said, adding that the consequences of most of the ACC cases are related to the case against Mollah.

On September 16, the

lawyer told The Daily Star that the commission has submitted to the SC a brief statement mentioning some important legal points against the appeal of Mollah, and also prayed to the court for holding a hearing of the appeal.

The appeal has already been enlisted for hearing on the cause list of the apex court, and the hearing will be held after the reopening of the apex court at the end of its annual vacation on October 4.

People accused by the ACC including AL lawmaker Obaidul Kader, former BNP

lawmaker Fazlur Rahman Potoi, and Tarique Rahman's friend Giasuddin-al Mamun have so far filed over 100 petitions with the HC questioning legality of the commission's filing and continuing the cases for wealth statement anomalies, he said.

Sources said these cases were filed during the immediate-past caretaker government under the Emergency Powers Rules.

As a result, the petitioners felt that the ACC "went out of its jurisdiction" in filing and proceeding the cases.

On November 20 of last year, the HC gave a ruling that the ACC's sanction to file the graft case against Mollah was legal.

The HC also observed that the provisions for all the three ACC commissioners to sanction filing a case, submitting a report in 30 days since the opening of an enquiry, and investigation report in 60 days since the filing of the case were directory, not mandatory.

On January 25, the SC granted the leave to appeal filed by Mollah against the HC verdict and stayed the opera-

tion of the verdict and also asked him (Mollah) to file a regular appeal with the SC against the HC verdict in four months.

Mollah then filed the appeal with the SC against the HC verdict and the appeal is now pending for hearing at the apex court.

Earlier, the HC stayed the case proceedings in over 200 graft cases and issued rules on the government and the ACC asking them to explain why the proceedings should not be quashed or declared illegal.

## Saarc FMs meet in NY Sept 26

DIPLOMATIC CORRESPONDENT

Foreign ministers of eight Saarc nations, who are now attending the United Nations General Assembly (UNGA), will meet in New York on September 26 to review the progress of the regional block.

Highly-placed sources at the foreign ministry said the foreign ministers of South Asian Association of Regional Cooperation (Saarc) will meet on the sidelines of the UNGA mainly to discuss the progress of implementation of the decisions taken at the 15th SAARC summit as well as issues related to global economic crisis and climate change.

They said the informal meeting of Saarc foreign ministers will take stock of the situation and give their final approval to various decisions taken at ministerial level meetings held after the Colombo summit.

After the Saarc summit in Colombo in 2008, at least four ministerial meetings of the regional group - finance, transport, energy, education and children affairs, were held apart from the 31st council of ministers, the foreign minister-level moot held in Colombo in February.

Officials said as the Saarc summit is not going to be held this year, the gathering of Saarc foreign ministers on the fringes of the UNGA would give the forum an opportunity to review the progress of Saarc between the two summits.

According to the officials, Saarc has made some progress in line with the summit decision regarding the issue of Saarc Development Fund and projects on regional connectivity.

Earlier, leaders of the Saarc nations decided to hold 16th Saarc Summit on April 28-29, 2010, in Thimpu. The venue of the summit has been changed as the previous host, the Maldives, has expressed its inability to arrange the summit due to the economic recession and Bhutan later expressed its desire to host the meeting of the top leaders.

Bhutan will host the summit for the first time since the birth of Saarc in 1985. Prior to the Saarc Summit next year, the meeting of Saarc council of ministers would be held on April 26-27, preceded by the meetings of the standing committee represented by the foreign secretaries on April 24-25 and that of senior officials on April 22-23.

## Special security ahead of Eid, Puja

UNB, Dhaka

Dhaka Metropolitan Police has taken special security measures for the city dwellers on the eve of Eid-ul-Fitr and upcoming Durga Puja, the two biggest religious festivals of Muslims and Hindus respectively.

DMP Commissioner AKM Shahidul Haq said, "All-out preparation has been taken to ensure security of the city dwellers for smooth celebration of Eid as well as Durga Puja in the capital."

As a large number of people would celebrate the Eid at their native villages - giving the capital a deserted look - their city homes would remain empty before and after the Eid day.

"Measures for a foolproof security and all-out techniques will be applied to avert any unpleasant incident in the city," said the city police boss.

Official sources said additional police and Ansar will be deployed at 165 Puja mandaps in the city to ensure smooth observance of the puja that

will start from September 24 and end on September 28 with the Bijoya.

Of the Puja Mandaps, DMP identified 63 as most vulnerable, 73 less vulnerable and the rest 29 normal. Rivalries for supremacy over the functions and any criminal acts are presumed as the factors for disturbance.

A contingent of 30 law-enforcers, including nine ansar personnel, will be posted at each vulnerable Puja Mandap, 16, including five Ansars, at each less vulnerable Mandap while 11, including five Ansars, will be on guard at each normal mandap.

"Additional 1,556 police and 1048 Ansar personnel will be deployed in the total 165 Puja Mandaps with adequate security equipment from September 24 to September 28," said a source.

In addition, 1,000 police will be on duty on September 28, the day of Bijoya Dashami, to stave off any untoward incident, according to the official sources.



Destitute people scramble to receive zakat in front of a house at North South Road in the city yesterday.

PHOTO: ANISUR RAHMAN

## BSF KILLINGS

## 'Delhi assures utmost restraint'

UNB, Dhaka

India has assured Bangladesh of exercising 'utmost restraint' when the issue of killing of Bangladesh civilians along the border was raised at the recent Delhi talks, capped with accords on a wide range of bilateral issues.

"There is no reason for killing," Foreign Secretary Mijarul Quayes told a press briefing yesterday when a correspondent asked why the killings by Indian BSF continued even after the foreign minister-level meeting on September 8.

He said if any trespass occurred, it could be tackled in a different way. "This cannot be addressed by force or bullet."

According to statistics of 'Odhikar', a non-government human rights watchdog, some 62 Bangladesh civilians were killed by the Indian BSF from January 1 to July 11 this year.

With the latest killing on September 17, the total number of Bangladeshis killed since 1 January 2009 stands at 77, and that from January 1, 2000 to September 17, 2009 at 804.



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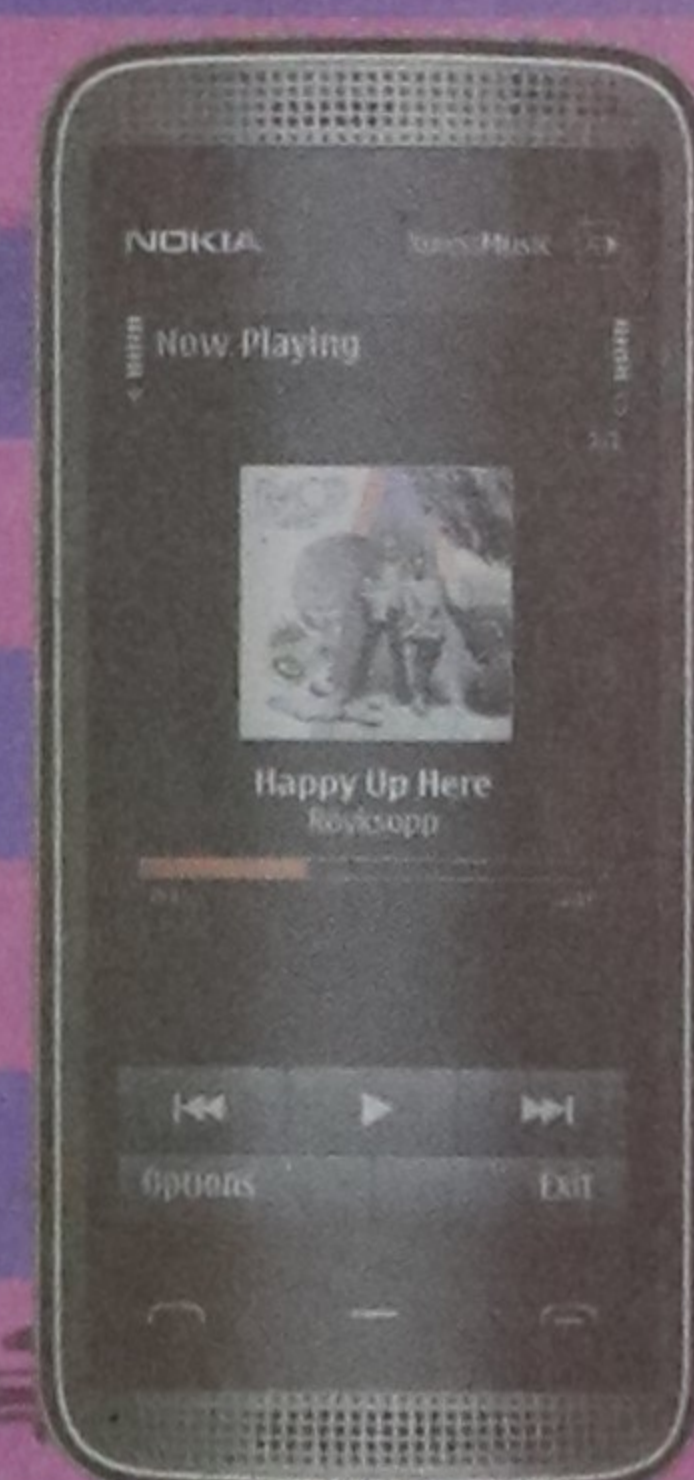
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