

COMMITTED TO
People's Right to Know

Today's issue 24 pages

Bangabandhu killer Noor was present during Aug 21 attack
Sheikh Selim tells JS
STAFF CORRESPONDENT

Major (ret'd) Noor Chowdhury, a fugitive convict in Bangabandhu killing case, was present at Bangabandhu Avenue during the August 21 grenade attack on Awami League rally to assassinate Sheikh Hasina, alleged a senior AL leader in the parliament yesterday.
Referring to Huji leader Mufti Hannan's statement, AL presidium member Sheikh Fazul Karim Selim said the grenade attack was designed in Hawa Bhaban where BNP leader Tarique Rahman, Lutfozzaman Babar, Abdus Salam Pintu and Jamaat leader Ali Ahsan Mohammad Mojaheed were present.
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Constitution to get back on '72 track

SC ruling upholds HC verdict with 'modifications', 'observations'; 2 petitions dismissed

JULFIKAR ALI MANIK and ASHUTOSH SARKAR

The Supreme Court yesterday dismissed two petitions contesting the High Court verdict that declared the constitution's fifth amendment illegal.
In so doing, it upheld the historic HC judgment delivered around four and a half years back.
Chief Justice Md Tafazzul Islam pronounced the one-sentence ruling at 10:00am.
In a courtroom filled to the brim, he read, "The petitions are dismissed with modification and observations."
On August 29, 2005, the bench of



Justice ABM Khairul Haque and Justice ATM Fazle Kabir delivered the landmark HC judgment.
The verdict meant the governments between August 15, 1975, and April 9, 1979, were in power without lawful authority. Khandker Mushtaque Ahmed, Abu Sadaat Mohammad Sayem and Major General Ziaur Rahman led the regimes adjudged unlawful.
Yesterday's SC decision came after six days' hearing on the petitions for permission to appeal against the HC verdict.
The other judges of the chief justice-led six member bench of the Appellate
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HC verdict summary

The Appellate Division has upheld the High Court judgment, but will add some modifications and observations of its own. Following is what the HC said in its 2005 verdict.
1. Bangladesh is a Sovereign Democratic Republic, governed by the Government of laws and not of men.
2. The Constitution of Bangladesh being the embodiment of the will of the Sovereign People of the Republic of Bangladesh, is the supreme law and all other laws, actions and proceedings, must conform to it and any law or action or proceeding, in whatever form and manner, if made in violation of the Constitution, is void and non est.
3. The Legislature, the Executive and the Judiciary are the three pillars of the
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KIBRIA KILLING CASE Babar shown arrested

Asked to be produced before Habiganj court Feb 11

STAFF CORRESPONDENT, SYLHET

Former state minister for home affairs Lutfozzaman Babar was shown arrested yesterday in the case filed in connection with the assassination of former finance minister and Awami League leader SAMS Kibria on January 27, 2005.
A judicial magistrate's court in Habiganj yesterday passed an order to show Babar arrested in the Kibria killing case following an appeal by the Criminal Investigation Department.
CID's Assistant Superintendent of Police Rafiqul Islam, also
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BNPPP sits tomorrow
Decision on joining House likely
STAFF CORRESPONDENT

The BNP Parliamentary Party sits tomorrow to discuss the main opposition party's possible return to the House in the ongoing session.
Lawmakers of the BNP-led four-party alliance are likely to take the decision on returning to the House at the meeting with party chairperson and leader of the opposition Khaleida Zia in the chair, party leaders said.
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AFTER 5TH AMENDMENT Constitution lost basic character

SHAKHAWAT LITON

The fifth amendment ratified all actions including those that destroyed the basic character of the country's constitution and made it subordinate to martial law proclamations, orders and regulations made during around four years after August 15, 1975.
Amendments, additions, modifications, substitutions and omissions were indiscriminately made to the constitution during the martial law regime that began immediately after the brutal assassination of Bangabandhu Sheikh Mujibur Rahman on that day.
These actions changed the fundamental principles of state
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The fifth amendment

STAFF CORRESPONDENT

Parliament had hurriedly passed the Constitution (Fifth Amendment) Act, 1979, ratifying and confirming all martial law proclamations, regulations and orders, and other laws made between August 15, 1975 and April 9, 1979.
Constituted through the general election of 1979, the first session of the then new parliament was convened on April 1, 1979.
The parliament dominated by then newly-created BNP, led by military ruler Ziaur
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Govt happy

Petitioners' counsels see hopes in SC modifications, observations

STAFF CORRESPONDENT

The law minister and the attorney general have said the original spirit of the Liberation War and the four principles of the 1972 Constitution have been restored following yesterday's order on the Fifth Amendment by the Supreme Court.
"Democracy", "socialism", "secularism" and "nationalism" were the four principles of the state as per the 1972 Constitution.
The petitioners' counsels advocate TH Khan and Barrister Moudud Ahmed have meanwhile said the SC has "accepted and considered" their arguments and submissions, as the apex court has rejected their petitions with some modifications and observations.
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Border shopping from mid-April

Bangladesh, India work on formalities

STAFF CORRESPONDENT

Border markets will open on a pilot basis between Bangladesh and India on Pahela Baishakh, the Bangla New Year, to facilitate trade between the two countries' people living in remote frontier areas.
Primarily, three border points have been selected for the markets which will be set up encompassing 50 metres of areas on both sides of the border from respective zero points.
The markets will be set up at the border points between
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The Tejgaon zone of Dhaka Metropolitan Police launches a weeklong drive against street beggars yesterday in a bid to reduce petty crimes and relieve city dwellers of horrific pestering by beggars. On the first day, police of Tejgaon, Tejgaon Industrial Area, Sher-e-Bangla Nagar, Mohammadpur and Adabor police stations picked up over 100 beggars. As the government shelters cannot accommodate them, they were freed on the outskirts of the capital, police said. The photo was taken in front of FDC in Tejgaon. PHOTO: SHAFIQU ALAM

Teesta water scanty in dry season
Says minister; JRC meet by March 20
STAFF CORRESPONDENT

Water Resources Minister Romesh Chandra Sen yesterday admitted in parliament that requisite quantity of water is not available in the river Teesta in dry season.
He told the House that Bangladesh would continue discussion with India on priority basis to strike a deal on Teesta water sharing during October-April dry season.
Earlier yesterday, Romesh Chandra said a ministerial-level meeting of Joint Rivers Commission between Bangladesh and India would be held by March 20.
He was speaking as the chief guest at a seminar on "Climate Change Impact on the Haor, Wetland and
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12 more deserters on JMB hit list

One of them seeks safety in police custody

SHARIFUL ISLAM

At least 12 more former members of Jama'atul Mujahideen Bangladesh -- hiding in Uttara and Gazipur -- are suspected to have been on the hit list of the banned Islamist outfit.
Rashidul Islam, a JMB ehshar (full-timer member) and student of Darul Ihsan University, was the first to fall victim as an ex-JMB operative on Monday.
This was revealed by Jamal, a former JMB ehshar now under police custody, as he was speaking to reporters at Uttara Police Station yesterday.
Jamal said he sought shelter from the police the same day as he fears he might face the same fate of Rashidul.
He claims he defected from JMB in 2003 and said around 12 others, who reside in Uttara and Gazipur and deserted the outfit, had links with Rashidul.
He added he had decided to defect as he

understood that Islam does not support killings of innocent people.
Apart from Jamal, police have picked up for interrogation three of Rashidul's friends -- Mizanur Rahman, Mokammel and Dulal.
The police say they have identified three JMB operatives -- Akash, Al Amin and Nadim -- who killed Rashidul for delivering a speech against the outfit.
The assailants lured Rashidul to Uttara Eid Gah field saying they would also desert JMB if he could show documents in support of his claim.
Mizan who accompanied Rashidul during the Monday's deadly attack also identified the three assailants.
Rashidul went to meet the militants with a book titled "Islam drishte chorompontha o jongibad" [extremism and militancy in the eye of Islam] by Shaikh Kamruzzaman which had inspired him to quit JMB.
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