

Bangladesh among 100 best countries

STAFF CORRESPONDENT

Bangladesh has been ranked 88th among the 100 countries in the first-ever list of the world's best countries prepared by international newsmagazine, Newsweek in its latest issue.

For this special survey, published in its August 23 & 30 issue, Newsweek chose five categories of national well-being such as education, health, quality of life, economic competitiveness and

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Khaleda slates govt for law and order slide

STAFF CORRESPONDENT

BNP Chairperson Khaleda Zia yesterday bitterly criticised the government for the deterioration of law and order situation, alleging that no action is being taken against a ruling party lawmaker despite killing of a person.

While addressing an iftar party, she urged party leaders and workers to be united, as her party will announce agitation programme after Eid to

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CHARTER AMENDMENT JS body to discuss proposals Sept 4

STAFF CORRESPONDENT

The parliamentary special committee will hold a closed-door meeting on September 4 to discuss some proposals on constitutional amendment.

It will also hold meetings on September 5 and 6 to review the constitution and recommend necessary

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Rising high the audacity

Skyscrapers built far beyond approval; owners stop Rajuk move for demolition with HC stay; documents on approval go missing from Rajuk; housing state minister blames it on a nexus

TAWFIQUE ALI

Powerful entrepreneurs including a lawmaker built several high-rise commercial buildings far taller than allowed by approved designs in the capital, and the regulatory authorities are saying they cannot demolish the prominent illegal structures without a "green signal from the government high-ups".

High officials of Rajdhani Unnayan Kartripakkha (Rajuk), the government agency for regulating building constructions in the city, also attributed their failure to prevent the unauthorised structures to "missing documents", and High Court stay orders.

Such illegal actions occur with the help of an unholy nexus among Rajuk and sections of officials in the housing ministry and the legal system, said Abdul Mannan Khan, state minister for housing and public works.

Records obtained by The Daily Star show that the buildings include 22-storey Jabbar Tower that has an approval for only nine storeys, and 15-storey Bulu's Tower with approval for only six residential storeys.

Approval records of two other such high-rises, 18-storey Premier Square and 15-storey Natore Tower, are missing from Rajuk archive, the agency officials said.

The owner of Premier Square did not produce any copy of approval despite notice from the agency requesting for it, the officials said adding, even if there was an approval, it could not have been for more than eight storeys.

About Natore Tower the officials however said it has an approval for six residential floors.

Owners of the buildings already sold or rented out most of the floors as commercial spaces.

The records show that Rajuk took long intervals between serving show-cause notices and demolition notices to the errant building owners, which provided them with adequate time to build the illegal floors.

Most of the building owners also took cover of High Court stay orders on Rajuk's demolition notices, to continue building floors after floors beyond the approved limits.

Sheikh Abdul Mannan, director (development control) of Rajuk, said, "There is no denial that there are lapses on the part of Rajuk. I don't know why the notices were served in this manner."

Md Nurul Huda, chairman of Rajuk, said, "It requires political decision to execute demolition of such high-profile buildings."

MA Jabbar, one of the two owners of Jabbar Tower also a Jatiya Party lawmaker elected from Satkhira, said he built the building violating the approved design, as "Rajuk officials gave an impression that they would approve it".

"Let the government demolish my building if it is illegal," he said, "I will place it in the parliament."

JABBAR TOWER
Rajuk approved the design for a nine-storey building at Gulshan-1 roundabout in 2004, in favour of MA Jabbar and his brother MA Gaffar.

Next year, the owners applied for approval of a design for a fifteen-storey building instead, which Rajuk turned down.

Later, they applied for an approval for 22 storeys to Rajuk's appellate authority,

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Clockwise from top left, Bulu's Tower, a 15-storey commercial building which has approval for only six residential floors; 18-storey Premier Square, the owner of which failed to produce any document in support of the building's approval despite repeated notices from Rajuk; Natore Tower, a 15-storey commercial establishment, the design of which shown by its managing director is for a residential building; and 22-storey Jabbar Tower, which has an approval for only nine floors.

INTERNAL FEUD BCL's RU unit president, gen sec expelled

STAFF CORRESPONDENT, Rajshahi

Bangladesh Chhatra League yesterday expelled its Rajshahi University unit president and general secretary for their feuds that led to several factional clashes.

The decision came after the August 15 clash on the campus which left Nasim, a BCL activist, dead.

BCL General Secretary Mahfujul Haider Chowdhury

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IBRAHIM 'MURDER' HC orders law enforcers not to arrest MP Shaon

STAFF CORRESPONDENT

The High Court (HC) yesterday directed the law enforcers not to harass or arrest Nurunnabi Chowdhury Shaon, Awami League lawmaker from Bhola-3 constituency, until the trial court starts proceedings against him in Juba League leader Ibrahim Ahmed murder case.

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AUGUST 21 BLASTS Khaleda's nephew quizzed

STAFF CORRESPONDENT

Criminal Investigation Department yesterday interrogated BNP Chairperson Khaleda Zia's nephew and former personal secretary Saiful Islam Duke in the August 21 grenade attack case. Abdul Kahar Akand, investigation officer of the case and CID's special superintendent, told The Daily Star they

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5th amendment verdict paves way for justice

Taher's family hopes for righting a historic wrong done in secret trial 34 years back

JULFIKAR ALI MANIK

The recent judgment of the Supreme Court cancelling the fifth amendment to the constitution has opened the door for challenging the legality of the controversial secret trial of Bir Uttam Colonel Abu Taher.

Taher's relatives and the lawyer who moved the petition challenging the trial's legality narrated the background of their coming forward. They said the perspective has changed after the Supreme Court's historic verdict that declared illegal the governments and military rule and martial law regula-



tions between the murder of Bangabandhu Sheikh Mujibur Rahman on August 15, 1975, and April 9, 1979.

Khandker Mushtaque Ahmed, Abu Sadaat Mohammad Sayem and Maj Gen Ziaur Rahman led the governments during that period.

"This changed perspective prompted us to correct the historic wrong of executing Teher in a farcical trial under a Martial Law Tribunal," Prof Anwar Hossain, brother of Col Taher, told The Daily Star yesterday at his Dhaka University home.

Taher's trial is controversial. His wife Lutfa

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MINISTER'S 'CONFLICT WITH SECRETARY' Biman chair asked to explain

STAFF CORRESPONDENT

The ministry of civil aviation and tourism yesterday demanded an explanation from Biman chairman for his recent comments on the ministry and its role, what the ministry says is "false and confusing".

On August 18, Air Marshal (ret'd) Jamal Uddin, Biman chairman, at a news briefing alleged that there was a "conflict" between aviation minister GM Quader and his secretary, and the minister's "disappointment" was the consequence of it.

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Govt asked to return Tk 397cr to 2 firms

HC declares realisation of the money during caretaker govt rule illegal, unconstitutional

STAFF CORRESPONDENT

The High Court (HC) yesterday directed the government to return in three months Tk 297 crore, which was realised during emergency rule, to two private companies.

The money was collected during the immediate past military-backed caretaker regime from Catheli Dated Tea and Land Bangladesh Ltd and S Alam Steels Ltd.

The HC division bench also declared illegal and unconstitutional realisation of the amount from the two companies.

Over Tk 1,200 crore was realised from different business companies and individuals and

was deposited to the national exchequer following anti-corruption drives during the Fakhruddin Ahmed-led caretaker government.

The companies and individuals repeatedly requested Prime Minister Sheikh Hasina and Finance Minister AMA Muhith to take steps to refund their money. But the finance minister told them the government would not refund it.

The HC bench of Justice Mamnoon Rahman and Justice Syeda Afsar Jahan delivered the verdict after hearing two writ petitions filed in April this year by the companies challenging legality of realising the money from them.

The Directorate General of Forces

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Like a devout craftsman, Sohail engages himself in beads setting to adorn a Kameez at the embroidery shop in the capital's New Market yesterday. Weeks ahead of Eid, he has to work round-the-clock to tackle a huge demand from customers. The artwork never helps win any award for the eight-year-old, just ensures his accommodation and daily bread. The child labourer works without pay.

PHOTO: SHAHWAT JAMIL

Man's battle restores people's right

SHAKHAWAT LITON

Maqsd Alam's fundamental right to property was infringed. He sought redress from all government departments concerned, but they did not quite extend a helping hand.

So finally he embarked on a lengthy legal battle for his right, but could not move forward without challenging the 5th amendment to the country's constitution.

His challenge to the legality of the 5th amendment paved the way for the Supreme Court Appellate Division's recent landmark ruling which declared that amendment illegal and void.

And his victory in the 34-year long battle not only restored his family's ownership of the property at 11 Waizghat Road in the capital, but also restored the constitution's legal supremacy.

The judgment declared illegal the first



martial law regime that ushered in the 5th amendment. It also scathingly denounced the regime's trampling of the constitution and the people's fundamental rights.

"Any person aggrieved by the then martial law regime's actions, violating his or her rights, may now easily seek redress through the court. The nullification of the fifth amendment opened the opportunity for them," eminent jurist Shahdeen Malik told The Daily Star yesterday.

He said the 5th amendment blocked the way for victims of the first martial law regime to seek recourse in courts, as the amendment precluded the courts' jurisdiction to review any action of that

regime.

"Colonel Abu Taher's wife and brother could recently challenge Taher's trial and conviction by a special martial law tribunal under that regime, because of the cancellation of the amendment," said Shahdeen.

Col Taher was a decorated freedom fighter condemned to death in 1976 by a martial law tribunal, and was executed by that regime.

THE BATTLE
Registered with the joint stock companies of the erstwhile East Pakistan, Pak Italian Marble Work Ltd became the owner of the property in 1962 through purchase, and constructed Moon Cinema Hall there in 1964. The company was owned by Maqsd's family.

After the liberation of Bangladesh, the company's name was changed to Bangladesh Italian Marble Works Ltd.

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