

Energy sector

FROM PAGE 20  
1,178 MW from 17 plants by 11-12 FY, 3,176 MW from 29 plants by 12-13 FY, 2,333 MW from 13 plants by 13-14 FY, and 2,410 MW from five plants by 14-15 FY.

The plan says the per unit production cost of electricity is expected to rise by 50-60 percent in the next two to three years due to installation of high cost fuel-based peaking plants. The government will increase the power tariff by phases, it adds.

However, after 2014 the cost will come down slightly as the gas and coal-based power plants will start operation.

A total of 1,080 MMCFD gas will be added to the national grid by December 2015, of which local companies will add 280 MMCFD and international oil companies 900 MMCFD.

Currently, about 2,000 MMCFD of gas is being explored, whereas the gap between demand and supply stands at 500 MMCFD.

After the tsunami disaster in Japan there has been a reservation about nuclear power plant. The sixth five-year plan in principle agrees to set up the nuclear power plant consisting of two reactor power units with a capacity of 1,000 MW each at Rooppur Nuclear Power Plant site in order to curb the existing energy crisis.

Construction of the first reactor is expected to start next year and end in 2017, while the second reactor is expected to be completed in 2018.

However, the plan emphasises tackling a number of important challenges including ensuring safety of the population and environment in case of nuclear power plant mishaps.

Muhith opposes

FROM PAGE 1  
history in a case filed with prior permission of the government.

Muhith was quoted as saying this at a meeting of the parliamentary standing committee on law ministry yesterday.

He however said this was his personal opinion on the proposed changes to the ACC law, said a meeting source who quoted the minister.

Muhith's view came as a strong support to the parliamentary body's stance against the proposed controversial changes to the ACC law.

Agriculture Minister Matia Chowdhury, who is in charge of the Cabinet Division in the parliamentary business, placed a bill in parliament on February 28 seeking to bring a number of amendments to the ACC law. The bill includes the provision of prior permission that has drawn widespread flak.

At yesterday's meeting the agriculture minister however neither defended the proposal nor opposed the finance minister's view. She clarified her stance against corruption and said the changes should be brought so that the law can be effective and acceptable.

The parliamentary standing committee on law ministry, which has been scrutinising the bill, invited both the ministers to the meeting for their views in this regard.

The finance minister had earlier sent a letter to the parliamentary body expressing his willingness to attend the committee's meeting. He was also requested to attend the committee's meeting on May 19. As he was outside

Dhaka, he sent a letter again to the committee the same day giving his opinion on the proposed changes, insiders say.

In that letter Muhith said the proposal for taking permission of the government to file cases against government officials by the ACC should be scrapped. "Only small fry will be caught if the proposed change is brought to the law," he added in the letter.

In response to his application, the parliamentary body yesterday also invited Mohiuddin Khan Alamgir, chief of the parliamentary standing committee on the public accounts, to its meeting to express his opinion on the bill.

Alamgir was the chief of the parliamentary standing committee on the public undertakings that discussed that ACC's functions during emergency rule.

All signs now indicate that the issue of government permission would not get the parliamentary body's nod during scrutiny.

"We will discuss more to take a decision in this regard," Suranjit Sengupta, chief of the parliamentary body, said in a press briefing after the meeting held at the Jatiya Sangsad Bhaban.

He said the proposed change is a very important one.

The committee chief added they have also discussed ways to strengthen the ACC by providing it with adequate financial autonomy and administrative power. The anti-graft watchdog needs skilled officials to carry out its functions properly, he observed.

Khaleda

FROM PAGE 1  
movement will be launched shortly.

The ruling Awami League has chosen the course of repression on its political opponents as well as professionals to cling to power, she said.

BNP standing committee member Dr RA Gani, its acting Secretary General Mirza Fakhrul Islam Alamgir and Sammalitiya Peshajibi Parishad convenor Mahmudur Rahman were present at the meeting.

Army to get

FROM PAGE 1  
Tk 1,201 crore, and the helicopters Tk 174 crore. Besides, a process is on to buy 18 brand new cannons.

The purchases would be done from the budgetary allocations for the army, said government sources.

The government increased the allocation for the armed forces to Tk 12,134 crore in the proposed budget for fiscal 2011-12 from Tk 10,918 crore in the current fiscal year.

"The tanks will be bought through a government to government deal ensuring maximum transparency," Master General of Ordnance (MGO) of Bangladesh Army Maj Gen Abdul Matin told The Daily Star yesterday.

"The purchase is being done as a part of modernisation of the Bangladesh Army," he said adding that the tanks will be delivered in phases over a span of 27 months. In the first phase 24 tanks will come within 20 months, and the rest will come in the second phase over the next 7 months.

The payment for the purchase will be made in phases over the next eight years, said the major general.

Maj Gen (ret) Amin Ahmed Chowdhury told The Daily Star that through this purchase, the military of the country will definitely get a boost.

"If the authorities concerned that would supply the tanks share transfer of technologies then it would work."

Mag Gen Abdul Matin however said the Chinese government will provide training to technicians of Bangladesh Army in China and in Bangladesh for a good period of time so that the tanks and ARVs could be maintained properly. The training will be free of charge, he said adding that the China would also give adequate spare parts of the tanks.

The government in 2003 took initiatives to buy tanks for the army, but that initiative did not see the light of day due to budgetary limitations, said the sources.

Ahadur Rahman was relieved as the investigation officer of the cases following controversies. The Criminal Investigation Department (CID) took over the probe.

October 26, 2005  
Hafizur Rahman, the prime accused, was held after he surrendered before the High Court.

January 29, 2007  
Din Mohammad, another prime accused, was shown arrested after he surrendered before a Chittagong court.

February 14, 2008  
A Chittagong court ordered for a second round investigation following a prayer by the then public prosecutor.

March 02, 2009  
The then IO got confessional statements of the two prime accused -- Hafizur Rahman and Din Mohammad that linked the involvement of some government and intelligence officials to the arms haul.

March 12, 2009  
Former managing director Mohsin Talukder of CUFL and ex-general manager (admin) Enamul Haq were shown arrested after their former security officer Mobin Hossain Khan in a statement said he had informed the MD of the consignment. But the Mohsin did not give any instruction to check the offloading.

March 17, 2009  
Mohsin Talukder and Enamul Haq were placed on a three-day remand each. The two former officials of CUFL were reportedly not cooperating with the investigators.

April 12, 2009  
Habibur Rahman and Taslim Mallick -- owner and manager of Greenways Transport Agency -- told the Court of Metropolitan Magistrate that the field officer of National Security Intelligence (NSI), Akbar Hossain Khan, hired the trucks from them "to transport salt".

April 19, 2009  
Akbar Hossain was arrested by the CID and placed on a two-day remand.

The investigators quizzed Akbar as well as Mohammad Ali Chowdhury, the then assistant director of NSI, Chittagong, at the CID Chittagong divisional headquarters.

Since Akbar Hossain continued to deny his involvement in the matter, Habibur Rahman was brought in to identify him.

Sources said Akbar Hossain reportedly hired the trucks using the name of NSI field officer Abul Hossain.

The investigators also produced former CUFL MD and GM before a Chittagong court with a prayer for five-day fresh remand for each in connection with the case.



Babar, Nizami among 11 new accused

FROM PAGE 1  
43 people in the other case filed under the arms act. Four people, who were accused in both the cases, have died.

In a memorandum of evidence to Public Prosecutor (PP) Kamal Uddin Ahmed on June 3 this year, the CID mentioned the names of 11 new accused.

Apart from Babar and Nizami, Ulfa leader Paresh Barua, former director general of National Security Intelligence (NSI) Brig Gen (ret) Abdur Rahim, the then director of the Directorate General of Forces Intelligence (DGFI) Maj Gen (ret) Rezaqul Haider Chowdhury, who was later appointed as the DG of NSI, are on both the charge sheets.

The others are former NSI director wing commander (ret) Shahab Uddin, ex-NSI deputy director Maj (ret) Liakat Hossain, ex-NSI field officer Akbar Hossain Khan, former additional secretary of industries ministry Nurul Amin, ex-CUFL managing director Mohsin Talukder and former CUFL general manager (admin) Enamul Hoque.

All 11 new suspects except Ulfa leader Paresh, and Nurul Amin are in prison, said the investigator.

The names of the 11 suspects were added to the previous list of accused in the two cases. Of the 11 accused, six have already given eight

statements, he said.

The charge sheets mentioned 265 names as important witnesses including police officials, magistrates, former officials of NSI and DGFI, and former secretaries of different ministries.

SUPPLEMENTARY CHARGE SHEETS

The supplementary charge sheets said prime accused Hafizur Rahman with the help of other accused smuggled in the huge cache of arms in two fishing trawlers -- Amanat and FB Khazardan. The arms were being unloaded at a CUFL jetty in Chittagong in the early hours of April 2, 2004.

When havildar Golum Rasul of Bandar police outpost was tipped off that huge cartons were being loaded onto trucks from two trawlers, he informed sergeant Md Alaiddin, the then outpost in-charge, about it.

Alauddin conveyed it to Abdullahel Baki, the then deputy commissioner (DC) of port zone.

Baki sent Sergeant Helal Uddin Bhuiyan and Ahadur Rahman of Karnaphuli Police Station to the spot to look into it.

When the policemen reached the spot, two persons identifying themselves as Hafizur Rahman and Abul Hossain claimed ownership of the goods. The person who

identified himself as Abul Hossain was actually the then NSI deputy director Maj (ret) Liakat Hossain.

Police seized the huge cache of arms and ammunition, and loaded those onto ten trucks.

The then officer-in-charge of Karnaphuli Police Station filed two cases -- one under the arms act and the other for smuggling arms -- with the same police station against 43 people the next day.

The CID took charge of investigation into the two cases after IO Ahadur Rahman was relieved of the task for his controversial probe in less than a month.

Kabir Uddin Ahmed, ASP of CID (Chittagong zone), was appointed the IO, who submitted a report on June 11, 2004 accusing 42 people in the case filed under the arms act.

ASP Nawshad Ali was later appointed the third IO, who submitted a supplementary charge sheet in the same case on August 28 the same year. He added one more name to the list of 42 accused.

He also probed the arms smuggling case and submitted the charge sheet in November accusing 45 people.

The Metropolitan Sessions Judge's Court on February 14, 2008 ordered further investigation into the

cases following an appeal by the then PP Ahsanul Haque Hena during the tenure of the last caretaker government.

The court gave directives to probe seven specific points that the previous investigators had not addressed.

ASP of CID Ismail Hossain probed the cases further as the fourth IO for nearly 11 months but failed to submit probe report despite obtaining six extensions.

A Chittagong court on January 18, 2009 gave an order to replace Ismail Hossain following an appeal by the state lawyer.

ASP Muniruzzaman was appointed the fifth investigation officer, who started a fresh probe into the cases on February 4 in 2009. He obtained confessional statements of two prime accused -- Hafizur Rahman and Din Mohammad -- who gave information about the involvement of some government and intelligence officials in the arms smuggling.

The IO submitted the probe report yesterday after 13 extensions.

Muniruzzaman said the government did not put "any pressure" on him while carrying out the investigation.

The charge sheets are based on the findings, he said.

JS body

FROM PAGE 1  
parliament office after the constitution amendment bill was placed in the House.

He said, "The prime minister consented to inviting the main opposition BNP to the committee meeting. But BNP has taken a stance against dialogue."

Crocodiles

FROM PAGE 20  
the pond Saturday night.

"When she went to the pond around 5:00am, two crocodiles swooped on her and dragged her into the middle of the waterbody," he said.

Hearing her scream, locals rushed to the spot but failed to rescue her.

Around 9:00am, Mariam's body was seen floating near a mass of water-hyacinth in the pond, locals said, adding that she used to frequent the shrine.

On information, police reached the spot and recovered the body with the help of locals.

"Crocodiles ate away some flesh from the victim's legs," said Harun Rashid, sub-inspector of Bagerhat Model Police Station.

Police later handed over the body to Saleha, Mariam's sister, at about 10:00am.

An unnatural death case was filed.

Koko's case

FROM PAGE 20  
could not bring any order on the rule issued earlier from the High Court (HC) following a writ challenging the legality of the case.

In the petition, the lawyer said the HC on June 9 last year issued a rule upon the government to explain why the proceedings of the case should not be declared illegal.

The hearing on the rule is still pending at the HC. So, he prayed for an adjournment of the hearing, the lawyer said.

Earlier on May 26, the same court gave the defence lawyers time to be the last for submitting an order from the HC.

The National Board of Revenue on March 1 last year filed the case against Koko for evading income tax on his income of Tk 52.39 lakh for fiscal years from 2002-2003 to 2006-2007.

Judge Mohammad Mozammel Hossain of the Special Judge's Court-3 on Thursday sentenced Koko to six years' imprisonment in absence and also fined him Tk 38.83 crore.

Four other cases including two corruption cases are also pending against Koko with different courts.

SC's authority

FROM PAGE 1  
Articles 115 and 116 deal with appointments to lower courts, and control and discipline of the lower judiciary.

The original article 116 vested the control of the lower judiciary in the Supreme Court, maintaining conformity with the fundamental principles of state policy stipulated in the constitution.

The control including the power of postings, promotions and granting of leaves, and of disciplining the persons employed in judicial service, and the magistrates exercising judicial functions, were vested in the Supreme Court.

The Supreme Court had also a major role to play regarding appointments to the lower judiciary as the original 1972 constitution stipulated that district judges would be appointed by the president on recommendation from the Supreme Court, and all other civil judges and magistrates exercising judicial functions would be appointed by the president in accordance with the rules made by himself or herself in consultation with the Public Service Commission and the Supreme Court.

But the constitution's fourth amendment passed in 1975 brought drastic changes to articles 115 and 116 pushing the matter in the opposite direction.

The amendment vested the control over the lower judiciary in the president who was also empowered to make the appointments, in effect allowing the executive branch to control the lower judiciary.

Later, a martial law regime led by Ziaur Rahman in 1978 amended the constitution through a martial law proclamation inserting a new phrase in article 116 that returned to the Supreme Court some little power regarding control and discipline of the lower judiciary.

According to this change which was later ratified by the fifth amendment passed in 1979, the president was supposed to exercise the power to control and discipline the lower courts in consultation with the Supreme Court.

But that change is no more in the constitution with the nullification of the fifth amendment by the Supreme Court.

However, it will be revived if the parliament passes the proposals made in the bill on the matter.

"Independence of the judiciary, which is one of the basic features of the constitution, will not be fully achieved unless the articles [115 and 116] to their original 1972 positions.

Against such a backdrop, the Appellate Division came up with the recent direction for restoring articles 115 and 116 to their original 1972 positions.

As a result the executive branch still controls postings and promotions of judicial officials, albeit "in consultation with the Supreme Court".

Against such a backdrop, the Appellate Division came up with the recent direction for restoring articles 115 and 116 to their original 1972 positions.

116] are restored to their original position," the Appellate Division of Supreme Court said in its verdict about the constitution's fifth amendment.

"It is our earnest hope that articles 115 and 116 of the constitution will be restored to their original position by the parliament as soon as possible," it added.

The parliamentary special committee on constitutional amendments initially agreed in principle to restore the two articles to their original positions, giving out a ray of hope for effective separation of the judiciary from the executive branch.

But later, it backtracked from its position as the government did not agree with the move, sources close to the special committee said.

Finally the special committee recommended maintaining the changes to article 116 brought by the constitution's fourth amendment and marital law proclamations. It did not say anything about article 115.

Contacted by The Daily Star on June 18 over the phone, Law, Justice and Parliamentary Affairs Minister Shafique Ahmed however claimed the independence of the judiciary will be maintained in the upcoming amendment to the constitution.

He said now it is not possible to restore article 115 to its original position as a set of other rules are attached to its amended version, and appointments to the lower judiciary are being made according to those rules.

On restoration of article 116 to its original position, the law minister said now everything is being done in consultation with the Supreme Court. "The law ministry is now providing secretarial support. Nothing more than that," he claimed.

The lower judiciary was officially separated from the executive branch on November 1, 2007 following the Appellate Division's directives.

Laws were amended and new rules were framed for that purpose as well.

However the constitution was not amended to ensure effective separation.

As a result the executive branch still controls postings and promotions of judicial officials, albeit "in consultation with the Supreme Court".

Against such a backdrop, the Appellate Division came up with the recent direction for restoring articles 115 and 116 to their original 1972 positions.

Chronology

FROM PAGE 1  
trucks under extremely tight security.

Police arrested five persons engaged in the unloading.

The then state minister for home Lutfozzaman Babar after flying to the port city by helicopter told newsmen that the weapons were smuggled in to carry out subversive activities in Bangladesh.

Shahidul Haq, inspector general of police, accompanied the state minister to Chittagong.

April 3, 2004  
Two cases -- one under the Special Powers Act for arms smuggling and the other under the Arms Act -- were filed by Ahadur Rahman, the officer-in-charge of Karnaphuli Police Station against 43 people in connection with the arms and ammunition recovery.

April 26, 2004  
Ahadur Rahman was relieved as the investigation officer of the cases following controversies. The Criminal Investigation Department (CID) took over the probe.

October 26, 2005  
Hafizur Rahman, the prime accused, was held after he surrendered before the High Court.

January 29, 2007  
Din Mohammad, another prime accused, was shown arrested after he surrendered before a Chittagong court.

February 14, 2008  
A Chittagong court ordered for a second round investigation following a prayer by the then public prosecutor.

March 02, 2009  
The then IO got confessional statements of the two prime accused -- Hafizur Rahman and Din Mohammad that linked the involvement of some government and intelligence officials to the arms haul.

March 12, 2009  
Former managing director Mohsin Talukder of CUFL and ex-general manager (admin) Enamul Haq were shown arrested after their former security officer Mobin Hossain Khan in a statement said he had informed the MD of the consignment. But the Mohsin did not give any instruction to check the offloading.

March 17, 2009  
Mohsin Talukder and Enamul Haq were placed on a three-day remand each. The two former officials of CUFL were reportedly not cooperating with the investigators.

April 12, 2009  
Habibur Rahman and Taslim Mallick -- owner and manager of Greenways Transport Agency -- told the Court of Metropolitan Magistrate that the field officer of National Security Intelligence (NSI), Akbar Hossain Khan, hired the trucks from them "to transport salt".

April 19, 2009  
Akbar Hossain was arrested by the CID and placed on a two-day remand.

The investigators quizzed Akbar as well as Mohammad Ali Chowdhury, the then assistant director of NSI, Chittagong, at the CID Chittagong divisional headquarters.

Since Akbar Hossain continued to deny his involvement in the matter, Habibur Rahman was brought in to identify him.

Sources said Akbar Hossain reportedly hired the trucks using the name of NSI field officer Abul Hossain.

The investigators also produced former CUFL MD and GM before a Chittagong court with a prayer for five-day fresh remand for each in connection with the case.

Intelligence (DGFI).

October 3, 2010  
Lutfozzaman Babar was shown arrested.

May 4, 2011  
Jamaat-e-Islami chief Motiur Rahman Nizami was shown arrested.

December 6, 2010  
Babar was placed on a five-day fresh remand. Earlier in November, he was taken on another five-day remand in connection with the smuggling.

June 26, 2011  
Investigators pressed charges against 11 more persons including Babar, Nizami and nine others for their alleged link with arms smuggling.

JS body finds

FROM PAGE 20  
At the time of the committee's visits to Karwan Bazar, Mohammadpur Town Hall Super Market and Mohammadpur wholesale market, there were no price lists there.

ABM Abul Qasem, chief of the House body, told The Daily Star on day that prices of essentials were under control, but customers said shopkeepers misled the committee members by lying about the prices.

Some buyers told the committee that prices of essentials including garlic, onion, edible oil and sugar had gone up.

Rahima Islam, a housewife who was shopping at Mohammadpur Town Hall Market, had told The Daily Star:

"I bought one kg of sugar for Tk 64 from this shop, but the shopkeeper told the House delegation that he is selling sugar at Tk 60."

But the committee in its report said sugar was selling at Tk 60 a kg.

The delegation had also found soybean oil being sold at Tk 114-116 a litre, which is much higher than the government-fixed rate of Tk 90.

But the committee made no recommendation for checking this.

Train link

FROM PAGE 20  
Comilla Sadar upazila yesterday morning.

Railway sources said four compartments of a Dhaka-bound container train from Chittagong port veered off the track at about 5:15 am.

The train services on the routes resumed at 11:00 am when two relief trains from Laksham and Akhaura salvaged the goods train.

At the time of the arms seizure, Abdur Rahim was DG of the NSI while Rezaqul Haider was director of the Directorate General of Forces

Intelligence (DGFI).

October 3, 2010  
Lutfozzaman Babar was shown arrested.

May 4, 2011  
Jamaat-e-Islami chief Motiur Rahman Nizami was shown arrested.

December 6, 2010  
Babar was placed on a five-day fresh remand. Earlier in November, he was taken on another five-day remand in connection with the smuggling.

June 26, 2011  
Investigators pressed charges against 11 more persons including Babar, Nizami and nine others for their alleged link with arms smuggling.

Intelligence (DGFI).

October 3, 2010  
Lutfozzaman Babar was shown arrested.

May 4, 2011  
Jamaat-e-Islami chief Motiur Rahman Nizami was shown arrested.

December 6, 2010  
Babar was placed on a five-day fresh remand. Earlier in November, he was taken on another five-day rem