

# Pak PM charged

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contempt of court, Gilani offered to resign, according to a media report.

He told a meeting of top leaders of the Pakistan People's Party and its partners in the ruling coalition that he was ready to quit if the step strengthened the government and parliament, ARY news channel quoted its sources as saying.

PPP leader Qamar Zaman Kaira, Religious Affairs Minister Khurshid Shah and Choudhury Pervaiz Elahi of the PML-Q, a key partner in the coalition, were being considered as possible replacements for Gilani in the event of his resignation.

Gilani convened the meeting of the PPP and its allies hours ahead of a crucial session of parliament that will vote on a resolution to shore up the civilian government.

President Asif Ali Zardari too joined the meeting.

Other sources told PTI that the PPP's top leadership had discussed the premier's resignation as a possible measure to ease the government's standoff with the judiciary and the military.

DawnNews reports, Gilani was advised by his government's coalition partners to appear before the apex court for NRO implementation case.

According to sources, the meeting discussed the SC notice against the prime minister.

The coalition partners also advised the premier to avoid policies of confrontation and play his role to eradicate tension between the institutions.

Later, the National Assembly endorsed a resolution in favour of democracy originally moved by Awami National Party leader Asfandyar Wali Khan.

Addressing the NA session, Prime Minister Yousuf Raza Gilani said that it was a "welcome day for democracy".

"The parliament is free to elect the leader of the House. If somebody does not like us, they are free to initiate a no-confidence movement," said PM Gilani.

"I respect the courts, and I would appear before the Supreme Court on Jan 19," said the prime minister amid applause from assembly members.

The resolution asks state institutions to act strictly within constitutional "limits" while voicing "full confidence and trust" in the country's political leadership. It also calls for adherence to "the basic constitutional principle of trichotomy of powers" -- in which parliament is regarded sovereign and above the executive and judiciary.

Pakistan's judiciary has been pressuring the government to reopen cases of alleged money laundering against Zardari since December 2009, when it struck down a graft amnesty issued by former military ruler Pervez Musharraf.

The apex court has also accepted the military's request for ordering a probe into the alleged memo that had sought US help to stave off a possible coup in Pakistan after the killing of Osama bin Laden in May last year.

"The Supreme Court has issued a contempt of court notice to the prime minister for not complying with its orders," Judge Nasir-ul-Mulk told the court which met to debate how to proceed on graft charges against the president.

"He has been directed to appear personally on January 19."

The Supreme Court wants the government to write to Swiss authorities demanding that they re-open corruption cases against President Asif Ali Zardari after a previous amnesty expired in late 2009.

Zardari and his PPP leadership have refused to do so, saying the president is immune from prosecution as head of state.

"We will consult legal experts and take steps which they consider necessary under law," Maula Bakhsch Chandio, minister for law and parliamentary affairs, told reporters after the court order.

In the past, PPP stalwarts have accused the judiciary of over-stepping its reach and colluding with the army to bring down the administration.

tion before its five-year mandate ends in 2013.

Last year, a Swiss prosecutor said that it would be "impossible" to reopen a case against Zardari since he benefits from immunity as a head of state.

Supreme Court judges have outlined six options on how to proceed on graft charges against Zardari -- which include finding Gilani in contempt, disqualifying the prime minister and president, and holding early elections.

Mulk said he had been left with "no option" but issue a show cause notice to Gilani after the government ignored the court's demands.

It marks only the second time that contempt of court procedures have been initiated against a sitting prime minister in Pakistan.

In November 1997, prime minister Nawaz Sharif was also found in contempt in a case which ultimately led to the resignation of president Farooq Leghari.

But analysts are divided on whether Gilani could be convicted, pushed out to protect Zardari or show flexibility in order to avert a wider crisis.

"There is possibility now that the prime minister will be made a scapegoat and he may resign," senior lawyer Quosen Mufti told AFP.

"Another possibility is that the prime minister will appear before the court... If he gives the court a commitment on implementation the court can discharge the contempt notice. If not then he may be convicted," Mufti added.

Zardari is under pressure over a memo soliciting American help to prevent a coup apparently feared in the aftermath of Osama bin Laden's killing in Pakistan on May 2 and to clip the power of the army.

Zardari's close aide, Husain Haqqani, has been forced to resign as ambassador to Washington and the Supreme Court on December 30 ordered a judicial inquiry into a memo following a demand from the chief spy master.

The attorney general said yesterday he had been unable to obtain crucial evidence -- BlackBerry message data sent between Haqqani and US businessman Mansoor Ijaz, who claims to have acted as a go-between on the memo.

He said BlackBerry's makers refused to release such records without the customer's permission.

His lawyer, Akram Sheikh, said Ijaz feared for his life but would apply for a visa in Switzerland, indicating that he could testify by January 25.

The commission adjourned the hearing until January 24.

## Take action

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Narayanganj with a pistol and an empty magazine at 12:15pm on October 5, 2004. They produced Dolon in the police station at 3:50pm the following day.

Firoze could not explain to the lower court why he kept Dolon in his custody for so long, Assistant Attorney General (AAG) Gazi Mamun Rashid told The Daily Star.

Neither the AAG nor Dolon's counsel Rana Kawser could confirm the post presently held by Firoze Khan.

## PM hailed

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governments' decisions of awarding energy blocks to foreign companies for extraction.

It recalled that the people in the past shed their blood and staged movements for "protecting the coal mines" at Phulbari of Dinajpur.

The statement was issued after the organisation held a meeting on the comments of Prime Minister Sheikh Hasina with Convener of the committee Engineer Sheikh Muhammad Shahidullah in the chair.

The meeting, however, demanded that the government take short-, medium- and long-term plans by forming a national platform to ensure proper and optimum use of coal resources.

Member secretary of the organisation Professor Anu Muhammad and other leaders including Engineer M Enamul Haque and Ruhin Hossain Prince attended the meeting.

## All graft

**FROM PAGE 20**  
Bangladesh (IEB) in the capital.

She blamed the ongoing crises in power and energy sectors on the last military-backed caretaker government and the Awami League-led incumbent government.

The country is facing bankruptcy because of the huge government subsidy on power and energy. Besides, the two sectors are being dominated by local and foreign plunderers.

Khaleda said steps would be taken to secure energy in the country if she came to power in the next parliamentary elections.

The public procurement sector has turned into a place of corruption by ruling party men, who are taking advantage of the government's ignoring the public procurement act, she said. The government has even passed an indemnity bill to cover up the looting.

Urging people to come forward to change the current situation, the former premier said the country's situation was very grave with the economic crisis deepening.

She said, "Democracy is being destroyed... Freedom of press is at stake."

Also, the process of power transfer through a free and fair election is being obstructed as the government has scrapped the caretaker government system ignoring public opinion, thus putting the upcoming election into deep uncertainty.

EIB former president Prof Jamilur Reza Chowdhury, BNP standing committee member RA Gani, acting secretary general Mirza Fakhru Islam Alamgir, Daily Amar Desh acting Editor Mahmudur Rahman, among others, were present with Engineer Nurul Huda in the chair.

Earlier on Saturday, Prime Minister Sheikh Hasina inaugurated the three-day convention of IEB.

**FAKHRULON MOUDUD'S CASE**  
BNP acting secretary general Mirza Fakhru Islam Alamgir yesterday condemned and protested the filing of a case against party standing committee member Moudud Ahmed accusing him of income tax evasion.

In a press release issued yesterday, he asked the government to withdraw the case without any delay.

## Hannan

**FROM PAGE 20**  
al-Islami (Huji) leader Hannan's discharge prayer, his lawyer Lutfur Rahman Sheikh told the court that his client was tortured on November 1, 2007, to sign a "so-called" confessional statement in the cases.

Based on this statement, Criminal Investigation Department (CID) had pressed charges against Hannan and 21 others in June 2008. None of the 61 prosecution witnesses, who testified in the court, mentioned his client's name, the attorney argued.

During further investigation, CID took Hannan to its Malibagh office from Sylhet jail on April 4 last year without remand. The investigators tortured him heavily to make him confess to the crime implicating several others.

On refusal, Hannan was again brought to Dhaka Central Jail on April 7 and was taken to Chief Metropolitan Magistrate's Court of Dhaka that evening, maintained the lawyer.

At the magistrate's chamber he was forced to sign a written confessional statement, but Hannan still denied to give in.

Later CID forged his signature on an additional confessional statement and accordingly pressed charges against BNP Senior Vice-Chairman Tarique Rahman and 29 others on July 3 last year, said Lutfur Rahman.

According to the prosecution, Hannan and 11 others had earlier confessed to the crimes, narrating how and why they had planned assassinations of the then opposition leader Sheikh Hasina and her party leaders and activists.

The court so far has heard 23 discharge petitions in the cases. It has fixed January 23 for hearing the next prayer.

Twenty-four people were killed and around 200 injured in the grisly grenade attack on an Awami League rally at Bangabandhu Avenue on August 21, 2004.

# Public business

**FROM PAGE 1**  
Sheikh Hasina enquired about the Government Servant (Conduct) Rules 1979 and directed the ministries concerned to remind the employees about the stipulations.

Briefing newsmen after the meeting, prime minister's press secretary Abul Kalam Azad said, "We all know that stockmarkets are risky. We also know that it is not appropriate for military and civil officials to get involved in this kind of business."

He said the ministry concerned would soon issue a notification to that end.

Meanwhile, confusion ran high among government employees at the Bangladesh Secretariat. They said the decision was aimed at preventing them and their dependants from investing in the stockmarkets.

Contacted last night, public administration senior secretary Abdus Sobhan Sikder said, "The cabinet has directed us to remind government staff that they won't be able to engage in any business as per the service code of conduct."

He said the ministry would circulate a notification to all the ministries and divisions in a day or two, asking them to ensure strict compliance with the code of conduct.

According to service rules, no government staff can get involved in any business without prior permission, he said, adding that a violation of the rules carries punishment.

Another top official said, "This decision will encourage the employees to withdraw from unauthorised stock business and also discourage the freshers from investing in stocks." The government, however, will not enforce punishment immediately, he added.

Public administration sources said a draft of the notification would be sent to the Prime Minister's Office for review. After getting the go-ahead from the PMO, the ministry will issue a circular.

The draft says it has been observed in recent times that a section of government employees or family members dependent on them have been involved in business activities without permission in contravention of the Government Servant (Conduct) Rules 1979. For this, departmental action might be taken against them as per Government Servants (Dis-

cipline and Appeal) Rules 1985.

The proposed notification also says the staff will have to take prior permission to engage in any business activities other than that of government service. Those who are already into profit-making ventures without permission will have to turn in detailed accounts of their business by March 30.

## CHANGES IN INCOME TAXACT

The Income Tax Act amendments approved yesterday are meant to give some benefits to investors, steady the stockmarkets and restore the shareholders' confidence, the prime minister's press secretary said.

The cabinet approved a 10 percent tax rebate facility for investment in the stockmarket. It means a person with investment in stocks will enjoy a 10 percent rebate on his or her total tax liabilities.

The cabinet also approved the reduction of tax on brokerage commission at source by half to 0.05 percent and withdrawal of 10 percent tax on income by mutual funds.

The government had earlier withdrawn the tax rebate facility, doubled the tax on commission for brokerage houses to 0.1 percent and imposed a 10 percent tax on mutual funds in the current fiscal year.

The decisions taken and disclosed previously to lift the troubled stockmarket and investors' confidence needed the cabinet's approval as the issues were related to the income tax laws.

The cabinet yesterday also approved the draft Human Trafficking Prevention and Protection Act 2012, which provides for capital punishment for the heinous offence. Besides, it extended the Law and Order Disrupting Crimes (speedy trial) (amendment) Act for another two years.

In 2010, the cabinet had extended the Speedy Trial Act.

The press secretary said the cabinet yesterday also endorsed the recommendations of the National Wages and Productivity Commission, 2010, which proposed monthly lowest wages of Tk 4,175 and highest Tk 5,600 for a worker.

It also proposed 50 percent of the basic salary as house rent, Tk 700 as medical allowance, Tk 150 as conveyance and Tk 150 as tiffin allowance every month for a worker with two festival bonuses every year.

# Sayedee

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According to the witness, before his sisters were taken, Sayedee along with some other collaborators came to their house and looted it.

After they were forced to convert to Islam, all his family members went to India except for him, he said.

Apart from his family, the collaborators led by Sayedee converted some 100 to 150 Hindus including Narayan Saha, Nikhil Paul, Sunil Paul and Haran Bhowmik, the witness alleged.

"After being converted, they named me Abdul Gani," said the witness, adding that the collaborators used to give him a tupi (cap) and a tasbii (used to keep track of repetitive utterances) whenever he was taken to the mosque.

After the Liberation War, he returned to his original religion, the witness added.

The witness said Sayedee was his neighbour living in a rented house in Parerhaat during the War.

After the prosecution witness finished his testimony, Sayedee's defence started cross-examining him.

Defence counsel Mizanul Islam asked the witness whether he had submitted the list of valuable collaborators had looted from his house during the war to the investigation officer of the tribunal.

"They looted everything, even the brooms. What

should I write on the list" was his response.

Islam later asked the witness whether he had atoned for converting to Islam after he retained his original religion.

The witness responded: "I became Muslim to save my life. So, atonement was not required."

At one point of the cross-examination, Islam told the witness that his national identity card puts his date of birth on July 8, 1963.

The witness replied: "Either I had said it wrong or they wrote it wrong."

The answer prompted a discussion in the court with the defence saying if the date of birth on the ID card is true, the witness was seven during the Liberation War instead of 27 as he claimed.

At this, the court said it is also observing the issue, while the prosecution said they would clarify it during their argument.

Islam also asked the witness whether he had requested the authorities concerned to correct the mistake. The witness said he did not.

Islam also told the witness that his three sisters were very young during the War.

But the witness denied it. The tribunal is scheduled to record the deposition of fourteenth prosecution witness Abdul Halim Babul today.

# Khaleda faces

**FROM PAGE 1**  
According to the first information report (FIR), in a week starting from January 13, 2005, Tk 7.81 crore was deposited in the trust's bank account, but the money was not used for any charitable purpose, and even the purchased land was not mutated in the trust's name at the time of filing the case. But according to the charge sheet, the deposited amount could be higher.

"The commission has approved submission of charge sheet in the case as investigation has proved the charges brought against the accused," Ghulam Rahman told reporters in his office yesterday.

The other accused in the case are Abul Harris Chowdhury, political secretary to the then prime minister Khaleda Zia; his assistant personal secretary (APS) Ziaul Islam Munna; and Monirul Islam Khan, APS to former Dhaka City Corporation mayor Sadeque Hossain Khoka.

The corruption watchdog filed the case on August 8 last year with Tejgaon Police Station.

In the three years since the incumbent government assumed power, this is the only case the ACC filed against the opposition leader. This is also the only case in which charge has been pressed against Khaleda since the Awami League-led government took over.

The FIR alleges that the money for the trust was collected from different

sources using the influence of the then Prime Minister's Office.

Khaleda, as the first managing trustee, opened the account with the PMO branch of Sonali Bank on January 1, 2005, and within a week from January 13 Tk 7.81 crore was deposited in the account in phases, says the FIR.

Of the trust fund, Tk 6.19 crore came from BNP, and the rest from unknown sources.

On January 16, 2005, Tk 1.35 crore was deposited in the trust's account through five pay orders issued by a business firm Metro Makers and Developers Ltd, according to the FIR.

But according to the charge sheet, Tk 1.9 crore was deposited in the name of Metro Makers and Developers Ltd.

Investigators could not find any source of the money, which was taken to the bank in sacks by Khoka's APS Monirul, who then called officials from Metro Makers, and ordered them to deposit the money in the name of their company through pay orders, ACC sources said.

AFM Jahangir, managing director of Metro Makers and Developers Ltd, told the ACC investigators that the company never donated any money to the trust.

He said the then DCC mayor's APS Monirul Islam used the company's name to deposit the money.

Monirul, however, claimed to investigators that

# BNP negative

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The incumbent EC's tenure expires next month.

The letter signed by M Shafiqul Alam, secretary [public division] to the president, said, "It is requested as per the honourable president's desire to take necessary steps to form a search committee on an emergency basis."

The Daily Star has obtained a copy of the letter.

Meanwhile, Prime Minister Sheikh Hasina said yesterday her government will constitute the EC as per suggestions of the president.

"The government has taken initiatives to strengthen the EC to ensure voting rights of the people. We will accept the suggestions of the president to this end," she said when Canadian High Commissioner to Bangladesh Heather Cruden called on her at the Gono Bhaban.

On the other hand, the main opposition BNP yesterday rejected the presidential proposal, and said it will not accept any search committee for constituting the next EC without a decision of restoring the caretaker government system.

Contacted, Shafiqul Alam said the president will send to the Cabinet Division this week a summary report on his recent talks with 24 political

parties on constituting the next EC and other issues.

Talking to The Daily Star, Law, Justice and Parliamentary Affairs Minister Shafique Ahmed said, "If the government wants, the proposed law (concerning EC) can be made very soon through an ordinance promulgated by the president... The ordinance will be ratified at the coming session of parliament from January 25."

Once the Cabinet Division gets the prime minister's nod, it will ask the law ministry to clear the legal aspects, Shafique said.

In his letter, the president has proposed formation of a five-member search committee headed by a judge of the Supreme Court, nominated by the chief justice.

The Public Service Commission chairman, the Anti-Corruption Commission chief, the comptroller and auditor general and a High Court Judge nominated by the chief justice will be members of the committee, the letter said.

The president also suggested that the search committee can be constituted comprising competent persons.

Earlier last month, most of the 24 political parties which

Harris Chowdhury had given him the money for depositing in the account.

Then on January 18, 2005, Harris's APS Ziaul Islam deposited more than Tk 27 lakh. The investigators also could not find out from where Ziaul received the money.

Ziaul, however, claimed to the investigators that he deposited the money in the trust's account on instruction from Harris.

Cheques for Tk 6.19 crore that came from different BNP accounts bore signatures of Tarique Rahman Khaleda's elder son; and former BNP secretary general Abdul Mannan Bhuiyan, among others.

"Though the trust was established for charitable purposes, there's no evidence of charitable activity done with the fund," reads the FIR. "Rather, Khaleda purchased a land with the money from the trust," the FIR adds.

A 42-katha land was bought from one Suraiya Khan for Tk 6.53 crore from the trust's account. The land registered on January 19, 2005, has yet to be mutated in the trust's name.

The money was transferred to Suraiya's account through two cheques signed by Khaleda.

Suraiya was also paid another amount of over Tk 1.24 crore, the FIR says. Investigators found irregularities in that payment as well, as the reason for the payment could not be known clearly.

had joined the talks with the president on constituting the next EC proposed either to form a search committee or enact a law in line with the constitutional provisions concerned.

**CEC'S REACTION**  
Chief Election Commissioner ATM Shamsul Huda yesterday welcomed the president's suggestion to form a search committee.

"We're happy that the process has been started through a system. In future, it might turn into a law," he told journalist at his office.

**TIBURGES GOVT**  
Transparency International Bangladesh (TIB) yesterday urged the government to ensure participation of the main opposition BNP in the process of formation of a search committee proposed by the president.

In a statement, TIB Executive Director Iftekhazzaman said BNP at its talks with the president did not give any alternative proposals to form the next EC.

"If BNP rejects the initiative, it will be inconsistent with the practice of democracy," he said.

If the opposition is not involved with the search committee and in its work plan, it will not work successfully, he added.

# Mojaheed pressed

**FROM PAGE 1**  
the prosecution.

The tribunal On December 28 last year returned the charge against Mojaheed saying that it had not been arranged properly and asked the prosecution to resubmit a formal charge in an arranged and classified manner by January 16 (yesterday).

The three-judge tribunal, headed by its Chairman Justice Md Nizamul Huq, yesterday fixed January 26 for passing an order on whether it would take the charge against Mojaheed into cognisance for trial.

The fresh charge contains 34 incidents of crime allegedly committed by Mojaheed, secretary general of Jamaat, during the war.

Yesterday after the submission, Prosecutor Mukhlesur Rahman Badal told The Daily Star that they have found proof that Mojaheed (now in jail) had been involved in the killing of eminent music composer Altaf Mahmud and well-known freedom fighter Shafi Imam Rumeed.

Rumeed is a son of Jahanara Imam, also known as Shaheed Janani (mother of martyr). In her highly-admired book "Ekattorer Dinguli", Jahanara Imam gave account of the

days of the nine-month Liberation War and Rumeed's murder.

The prosecutor said, "The then Pakistani occupation army confined six people including Altaf Mahmud and Rumeed at the Old MP Hostel in Nakhlapara area of the capital in August 1971.

"Mojaheed and his superior Motiur Rahman Nizami on August 30, 1971 told the occupation army to kill the confined people before the then Pakistan president Yahya Khan had declared amnesty for 'separatists' and 'miscreants' (freedom fighters).

In September, 1971, Yahya declared amnesty asking the miscreants and separatists to surrender.

The prosecutor said the occupation force and their collaborators led by Mojaheed had killed 50 to 60 men and women after looting and setting fire to 300 to 350 houses in Hindu dominated Baidyadangi and Majhidangi villages of Charvadrason Thana in Faridpur district in mid-May, 1971.

Mojaheed, the then secretary of East Pakistan Islami Chhatra Sangha, had provoked and instigated the then Pakistani occupation force and its collaborators --

Razakar, Al Badr, Al Shams and other organisations -- in killing pro-liberation people by delivering speeches in different places of Rangpur, Bogra, Comilla and Faridpur in 1971, according to the prosecutor.

Badal said Mojaheed, the then commander of Al Badr, was also involved in the killing of intellectuals on December 14, 1971, two days before Bangladesh won its independence.

He said Mojaheed and Nizami, then president of East Pakistan Islami Chhatra Sangha, were involved in conspiring with the occupation army in committing atrocities and crimes against humanity.

The International Crimes Tribunal has so far received the formal charges against former Jamaat-e-Islami ameer Ghulam Azam, its present ameer Motiur Rahman Nizami, Nayeb-e-Ameer Delawar Hossain Sayedee, and Assistant Secretaries General Muhammad Kamaruzzaman and Abdul Quader Mollah and BNP leader Salauddin Quader Chowdhury in connection with their alleged crimes against humanity.