

Big blushes for prosecution

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charges brought against the Jamaat-e-Islami leader in connection with crimes against humanity committed during the Liberation War.

Yesterday the prosecution placed its arguments in the hearing on charge framing.

The judges asked questions regarding some information, evidence and charges mentioned in the formal charges but prosecutor Mohammad Ali could not provide the judges with the required documents or evidence.

One of the charges, which did not name any victim, particularly annoyed tribunal chief Justice Md Nizamul Huq. "What kind of charge is this? You did not even mention any names of victims," he said. "What kind of investigation did you conduct? Did you not see the kind of charges you were bringing? At least one name should be there!"

The three-member tribunal on Tuesday had granted the prosecutor an extra day to prepare for his argument supporting the charges against the Jamaat leader.

However, even yesterday the prosecutor was so lost during the two-hour-long proceedings that the judges at one point expressed discontent at the quality of the investigation behind the formal charges against Mollah.

The tribunal directed the investigation officer who probed the war crimes charges against Mollah to be present in court today.

Abdul Quader Mollah, assistant secretary general

of Jamaat-e-Islami, is facing seven charges of crimes against humanity allegedly committed during the Liberation War in 1971.

He was not produced before the court yesterday in line with the tribunal's decision.

Mohammad Ali began yesterday's proceedings by answering the tribunal's query on how Quader Mollah could be confirmed to have been an Al Badr leader.

Referring to a line from a book, the prosecutor said all members of Islami Chhatra Sangha, Jamaat's student wing in 1971, had joined the Al Badr.

The Al Badr was one of the auxiliary groups set up to collaborate with the Pakistani occupation army and actively oppose the liberation forces in 1971.

The prosecutor said Mollah had stated to the investigation officer that he was president of the Jamaat student wing unit at Shahidullah Hall of Dhaka University.

The judges then reminded the prosecutor that the statement of the accused was not acceptable as evidence.

"Do you have any documents that show that he was the president of Shahidullah Hall Islami Chhatra Sangha?" asked Justice Nizamul Huq, the tribunal chief.

Before the prosecutor could reply, Justice ATM Fazle Kabir, a tribunal member, said, "You are not being able to prove anything. You are not even being able to

prove that he was [Islami Chhatra Sangha] president."

Just because he was in Islami Chhatra Sangha, it does not automatically prove that Quader Mollah actually joined Al Badr, added Justice Fazle Kabir.

"There has to be a list of the members who joined."

Mohammad Ali said he did not have any such document.

"Then why are you going there? Why bring something that you cannot prove?" said Justice Fazle Kabir.

The tribunal then asked the prosecutor whether he had any witness statement saying that Mollah was an Islami Chhatra Sangha leader.

The prosecutor said he did not.

"You have to prove the charges. You have to either prove it by documents or witness testimony," said Justice Md Nizamul Huq.

"Have you brought a single piece of evidence that he [Mollah] was the president of Shahidullah Hall Islami Chhatra Sangha?"

Mohammad Ali replied that that evidence was in the process of being collected.

However, later in the proceedings, Justice Fazle Kabir found a witness statement from the case documents, which states that Quader Mollah was an Al Badr leader.

"You could not find it even after going through the papers the whole day. We found it in three minutes," said the judge.

With confusion all around, the tribunal at one point decided to focus on each of the charges brought

against Mollah one by one.

The first charge was the murder of one Pallab, who was a Bangla College student in 1971.

A supporter of the liberation forces, Pallab was tied and dragged from Mirpur-1 to Mirpur-12 intersection under Quader Mollah's orders. He was left hanging from a tree for two days and had his fingers cut off.

Two days later, Pallab was shot. His body was left hanging there for two more days as a warning to supporters of the Liberation War.

The prosecutor said Mollah had apparently announced an award for every shot fired at Pallab and ordered his associates to shoot him.

Pallab was then buried near a water body called Kalapani in Mirpur with seven others.

Mohammad Ali told the tribunal that he did not have any witnesses to the incident and the only evidence was a 2007 newspaper report and a book titled 'Ekatturer Juddhaporadh O Juddhaporadhider Bichar' (War crimes of '71 and trial of war criminals) edited by Shahriar Kabir.

"There are no witnesses?" retorted Justice Nizamul Huq, visibly surprised by what the prosecutor just had said.

"He was dragged from Mirpur-1 to Mirpur-12, which are at least three miles apart and you could not find a single witness? Not one?"

"What form of investigation did you do then?" asked the judge.

Prosecutor Mohammad

Ali meekly replied that there were a few Bangalees living in that area and the witnesses could not be traced.

The tribunal chief then pointed out that there were witnesses who spoke to the writer of the book. "Why won't they talk to the investigation officer if they can come and speak to him [writer]?"

Later in the proceedings, the tribunal was irritated at the prosecution's failure to find any old articles or news reports on the murder of poet Meherunnesa, a case that has apparently prompted hundreds of articles since 1972.

Quader Mollah was allegedly involved in the killing of the poetess.

After the prosecutor finished his argument at 12:28pm, Mollah's defence counsel Farid Uddin Khan began his.

The counsel complained that the prosecution had illegally added certain words and phrases throughout the formal charges. The tribunal acknowledged the complaint and said the added parts would be removed.

The defence counsels then appealed for adjournment as they were not prepared for argument. The tribunal then adjourned the hearing until March 21.

Nizami's charge hearing. The prosecution yesterday resumed reading out the formal charges against Jamaat-e-Islami chief Motiur Rahman Nizami.

Prosecutor Altaf Uddin Ahmed yesterday finished 52 pages out of the 73-page formal charge. He will resume today.

The price of a life in Afghanistan

REUTERS, Kabul

Civilian casualties caused by Nato forces hunting insurgents are a major source of friction between the Afghan government and its Western backers - all the more so after a lone US soldier gunned down 16 Afghan villagers at the weekend.

With 90,000 troops in Afghanistan, the US pays up to \$2,500 for civilian deaths and payments above that figure are rare.

UK has around 9,500 soldiers, mainly in volatile Helmand province. UK forces have paid between \$210 and \$7,000 for deaths.

Berlin, with 4,700 troops in Afghanistan, has no set policy for giving assistance to civilians harmed in operations. In August 2008, Germany dished out \$20,000 in cash and a car worth \$5,000 to a family after its troops shot dead three family members at a checkpoint.

Norway made a payment of \$8,000 to a family of someone killed by its forces in 2009. Australia disbursed around \$120,000 for four incidents involving one or more deaths or injuries from 2001 through May 2009. Poland makes payments of up to \$2,500.

HIGH COMMISSION OF INDIA DHAKA

TENDER NOTICE

High Commission of India (HCI) in Dhaka invites sealed quotations from Original Manufacturers/suppliers of Computers and accessories or their authorized distributors for supply as per specifications given in the Tender Document on CIF Dhaka basis. Tender document can be obtained from the Defence Wing, HCI Dhaka between **2.30 PM to 5.00 PM** on all working days or downloaded from Mission's website www.hcidhaka.org.

The sealed quotations would be accepted till **5.30 PM on 12 April 2012** EMD draft of **Taka 2 lakhs** favouring 'Head of Chancery' should be submitted along with the bid. The quotations should be submitted on two-bid system (technical and financial). Both sealed envelopes, clearly marked as such, should be kept inside a larger sealed envelope superscribed as "Tender for supply of Computers and accessories to the High Commission of India, Dhaka" in tender box kept at the reception of the Mission.

The sealed quotations would be opened on **15 April 2012 at 3.30 pm** in Conference Room of the Mission in the presence of the authorized representatives of the companies present.

HCI, Dhaka reserves right to reject one or all of the bids without assigning any reasons.

First Secretary (Eco & Projects)
12 March 2012

DESTINY DEVELOPERS LTD.

Nasir Trade Centre (6th floor)
89, Bir Uttam C.R. Datta Road, Banglamotor, Dhaka-1205.

INVITATION OF TENDER FOR CONSULTANCY SERVICES

- 01) Agency - Destiny Developers Ltd.
- 02) Invitation ref. No. & Date - DDL-015/12/01 Date: 11-03-2012
- 03) Procuring Method - Open Tender Method (OTM)
- 04) Budget and Source of Fund - Own Source
- 05) Name of Work - Consultancy Services for Construction of 2-Basement +25 Storied Concrete Composite Steel Structure Multipurpose "Destiny International Business Centre" (DIBC) at Sylhet.
- 06) Time for Completion of works - 6 (Six) Months.
- 07) Price of Project Information document - Tk. 5,000/- (Tk. Five thousand) only Per set of Project information document.
- 08) Amount of Earnest Money - 2% (Two) of the Quoted value in form of Pay Order or Bank Guarantee from any scheduled Bank of Bangladesh in favour of **Destiny Developers Ltd.**
- 09) Tender Selling Date - From 15-03-2012 to 25-03-2012.
- 10) Tender Submission Date & Time - 15-04-2012 up to 03:00 PM
- 11) Tender Opening Date & Time - 15-04-2012 at 03:30 PM in presence of tenderers or their authorized representatives in the office of the undersigned.
- 12) Name and address of the office for Selling of Tenders - Manager (Accounts), Destiny Developers Ltd. Nasir Trade Centre (6th floor) 89, Bir Uttam C.R. Datta Road, Banglamotor, Dhaka-1205.

13) Eligibility of Tenderers :

- a) The tenderer must have current Trade license, VAT Registration Certificate and up to date Income TAX clearance Certificate.
- b) Soon after the publication of the tender notice, the intending tenderers shall have to be acquainted with nature of the works and shall be given full facility and opportunity of having familiarity with the Project site.
- c) Must be experience in consulting of composit steel structure High-rise Multi-storied Building in Bangladesh or abroad, Certificate to this effect not below the rank of Executive Engineer/equivalent to be enclosed with the tender.
- d) Must be a Limited Company.
- e) Joint venture (J.V.) with International Firm having similar experience of work are also eligible to participate the tender.

- 14) All payments will be made in Bangladeshi Taka.
- 15) All Steel section will be of eligible International origin.
- 16) Rate to be quoted on per Square Meter basis.
- 17) The officer inviting Tender - Chief Engineer, Destiny Developers Ltd.
- 18) The Authority reserves the right to accept or reject any or all tenders or part of it without assigning any reason what so ever.
- 19) If it is not possible to open the tender on the schedule date for any unavoidable circumstances, the same will be opened on the next working date at the same time and vanue.
- 20) A Pre-bid meeting will be held on 01-04-2012 at 11:00 A.M. in the office of the undersigned. Interested firms may attend the meeting for clarification.

Muhammad Shajahan
Chief Engineer
Destiny Developers Ltd.

Deal for metro rail

FROM PAGE 20
Sheikh Hasina said yesterday in parliament.

On the much-debated final alignment of metro rail, she said the rail route would start from Uttara third phase and then go through Pallabi, Farmgate, western side of Rokeya Sarani, Khamarbari, Hotel Sonargaon, Shahbagh, TSC, Doel Chattar and Topkhana Road to reach Bangladesh Bank.

In a scripted answer, the leader of the House also mentioned why the previous design of the metro rail network had not worked because of the route's diversion to Farmgate through Bijoy Sarani.

She told the House that her government had already finalised locations of depots and station areas.

Meanwhile, after a meeting with a delegation of Japan International Cooperation Agency (Jica), Communications Minister Obaidul Quader yesterday told reporters that the construction work under the project would begin towards the end of 2013, reports UNB.

"The process of land acquisition has already begun. The main construction under the metro rail project will begin between October and December, 2013," he said.

The government has taken up the project involving Tk 16,000 crore under the

Strategic Transport Plan of Dhaka. The Japanese government will finance 80 percent of the total expenditure.

On the other steps taken to reduce the city's horrific traffic congestion, Hasina in parliament said her administration had given permission to 10,000 new taxicabs to ply the city roads and companies were showing interest in this regard.

The government earlier gave its approval to two companies for import of 2,000 modern taxicabs.

Hasina, ruling Awami League president, placed a 12-point agenda that the government is implementing to reduce traffic jam in the city. The initiatives include import of large size buses and double-decker buses, modernising the footpaths of the city's important roads and free them of illegal occupation.

The premier also talked about her government's measures to increase manpower export, patronise Bangalee culture, save people of the coastal areas from natural calamity, increase power production and improve small and medium industries.

On resuming manpower export to Malaysia, Hasina said the regular process to send Bangladeshis to the country is likely to begin soon after the Bangladeshi immigrants, who are staying there illegally, are legalised.

Ex-SI fined

FROM PAGE 1
simple imprisonment.

Second Additional Chief Metropolitan Magistrate Abu Zafar Md Kamruzzaman also rejected Badsha's mercy petition as it was not proper and satisfactory.

Badsha, a former sub-inspector, filed the robbery case with Khilgaon Police Station on July 16 last year.

The same day, Badsha, now in suspension, implicated Kadar with several other accused in the case.

When Kadar's arrest became an issue following a media outcry, a court served a show cause notice on the complainant of the case.

Badsha prayed for apology and mercy in a written statement on February 20 in response to the notice that asked him to explain the reasons behind implicating the student in the false case.

Metropolitan Magistrate Mohammad Rezaul Karim issued the notice on January 26.

In the mercy petition, Badsha said that as ordered by the then officer-in-charge of the police station Helal Uddin, he had arrested Kadar,

filed the robbery case and produced him along with the other arrested accused to the Chief Metropolitan Magistrate's Court of Dhaka.

He also pledged before the court that in future he would remain alert in filing a case against anyone.

The same court on January 26 acquitted Kadar, who was also tortured following his arrest.

Earlier, Kadar was acquitted in two other false cases filed with Mohammadpur and Khilgaon police stations for carjacking and possessing sharp weapons.

The acquittal followed recommendations by a probe committee formed by the law ministry and a High Court (HC) order.

Kadar, a student of bio-chemistry and molecular biology department of DU, was detained by police while he was on way to his dormitory, around 1:30am on July 16 last year.

He was arrested and tortured by police although he had shown them his identity card. And Helal even stabbed him with a cleaver, Kadar told a court later.

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- 04) Budget and Source of Fund - Own Source
- 05) Name of Work - Consultancy Services for Construction of 3-Basement + 40 Storied Concrete Composite Steel Structure Multipurpose "Destiny International Business Centre" (DIBC) at Pahartali, Chittagong.
- 06) Time for Completion of works - 6 (Six) Months.
- 07) Price of Project Information document - Tk. 5,000/- (Tk. Five thousand) only Per set of Project information document.
- 08) Amount of Earnest Money - 2% (Two) of the Quoted value in form of Pay Order or Bank Guarantee from any scheduled Bank of Bangladesh in favour of **Destiny Developers Ltd.**
- 09) Tender Selling Date - From 18-03-2012 to 28-03-2012.
- 10) Tender Submission Date & Time - 16-04-2012 up to 03:00 PM
- 11) Tender Opening Date & Time - 16-04-2012 at 03:30 PM in presence of tenderers or their authorized representatives in the office of the undersigned.
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Muhammad Shajahan
Chief Engineer
Destiny Developers Ltd.