BSF kills 1, tortures another

UNB, Panchagarh, Benapole

India's Border Security Force (BSF) tortured to death a Bangladeshi man in Tetulia upazila of Panchagarh yesterday.

The deceased is Oliar Rahman, 42, of Mandulpara village under Bhajanpur union.

BGB Bhajanpur company commander and the victim's family members said a team of BSF of India's Balabari border outpost picked up Oliar from the Zero Line (no man's land) on Sunday and dragged him into the

rope, hanged him from a tree and beat him mercilessly with a stick, leaving him unconscious. BSF later handed him

Indian territory.

over to Chopra Police Station. Police admitted him to Islampur Hospital where he died last noon.

After receiving a written complaint from Oliar's family, the BGB company commander sent a letter to Balabari BSF asking them to sit across the table in a flag meeting to discuss the matter.

Panchagarh 18 BGB Battalion Commander Lt Col Zakir Hossain admitted the incident.

BSF did not return the body until filing of the report at 8:40pm. Meanwhile,

Bangladeshi cattle trader, Shafiqul Islam, of Sharsha upazila ini Jessore was beaten and injured allegedly by BSF personnel of its Angrail camp at Putkhali border Tuesday night.

The victim said he entered India to bring his cattle Tuesday night. BSF jawans of Angrail camp caught him after a hot chase, took him to their camp and beat him mercilessly. Later, they left him in the border area.

Doctor

FROM PAGE 1

by the physician.

Victim Abidur Reza, acting health officer at Charvadrason Upazila Health Complex, was admitted to the hospital with severe injuries to the head. Reza told The Daily Star

that Motaleb Molla, activist of Jubo League Charvadrason upazila unit, attacked him with a chair and beat him indiscriminately while he was attending a child at the hospital at about 8:00pm on Tuesday.

He said Motaleb was taking treatment at the hospital for an injury from April 20.

"I examined him and issued a medical certificate saying he sustained a trivial injury. But he demanded I certify that he suffered a grievous injury and identify him as a Jubo League activist," said Reza.

Motaleb, also former

"But the doctor misbe-

Upazila Nirbahi Officer

Abdur Rashid said Motaleb

was taken to the health

complex after he got injured

in a clash at a council con-

ference of Charvadrason

Awami League unit on April

Mazharul Islam, officer

in charge of Charvadrason

police station, said Reza

filed a case with the police

station in connection with

"We are trying to arrest

Sirajul Hoque Talukder,

civil surgeon in Faridpur,

demanded immediate

arrest of the Jubo League

the incident.

the accused."

activist.

haved with me and attacked

me first," he claimed.

general secretary of government rule. Charvadrason Government College, said, "Though I was severely injured, the doctor did not treat me properly. I repeatedly requested him to tionally. issue a certificate to say that I suffered a grievous injury."

In another case in con-

FROM PAGE 20 The 873-metre-long and 14.6-metre-wide four-lane bridge over the Buriganga was opened to public in

Mohammad Ahsan Ullah, Munshiganj Road Division, said around 210 metres of guardrails of the bridge are damaged. It is necessary to use high-quality concrete to fix the railings and the

It's misuse

FROM PAGE 1 on the appeal sentenced Kamal to eight years' imprisonment and ordered him to surrender before the trial court.

In the meantime Kamal's wife submitted a mercy petition in 1991 to the then president Abdur Rahman Biswas, who using his constitutional power pardoned Kamal on April 12, 1993.

After receiving the documents of the 1992 High Court judgement on the murder case, the trial court on June 30, 1997 issued an arrest warrant for Kamal. Not surrendering, Kamal

challenged the arrest order in the HC. After a brief hearing, the HC stayed the warrant and issued a rule against it. Fifteen years after the

petition against the warrant, They tied him up with a the HC bench of Justice M Enayetur Rahim and Justice Sheikh Md Zakir Hossain dismissed it yesterday. Giving the judgement,

the High Court ordered Kamal to surrender before the trial court in Cox's Bazar within six weeks. The court also observed

that any presidential order to pardon a fugitive accused is against the rule of law and justice.

It may be mentioned that article 49 of the constitution empowers the president to pardon an accused or a convict.

"The president shall have power to grant pardons, reprieves and respites and to remit, suspend or commute any sentence passed by any court, tribunal or other authority," the article says.

But the HC yesterday said the then president's decision of granting mercy to Kamal was vitiated and it contradicts the law. The court also ordered to

take departmental action against the officials and employees responsible for not informing the trial court about the 1992 High Court judgement that had upheld the conviction of Kamal and directed him to surrender before the trial court. Instead of complying

with the earlier High Court order, the accused person had obtained clemency from the president through concealing information, the HC said.

When a court issues an arrest warrant for a person or starts the process in this regard, the accused person must surrender before the court if he wants to defend himself, the bench observed.

An accused would not have the right to any remedy unless he surrenders before the court, it added.

Advocate SM Zafar Sadig moved the case for Kamal while Assistant Attorney General Gazi Md Mamunur Rashid represented the government.

RECENT CLEMENCY

In 2009, the incumbent President Zillur Rahman granted mercy to Shahadab Akbar, son of deputy leader in parliament Syeda Sajeda Chowdhury, who did not surrender before the court.

Shahadab was sentenced to 18 years' imprisonment and fined Tk 1.6 crore in absentia in four cases filed by the Anti-Corruption Commission and the National Board of Revenue during the last caretaker

After securing the mercy, Shahadab in late November that year claimed he had never been a fugitive, and that he was hiding inten-

Protection

sub-divisional engineer of cracks.

The RHD official said the around two-and-a-half months ago they submitted a proposal to RHD high-ups for the repair job worth around Tk 40 lakh. He said due to lack of funds they were now giving more emphasise on repairing roads.

Natore Jubo Dal leader Sabbir Ahmed Gama, the president in late 2010 pardoned 20 death row convicts. One of the condemned

nection with the killing of

killers in this case was not pardoned as he was on the In yet another example, Zillur Rahman early this year granted clemency to con-

victed killer AHM Biplob, son of ruling Awami League leader Abu Taher. Biplob, however, is still in

jail in connection with other cases against him.

Death toll

FROM PAGE 20 Medical College Hospital, said

Shakhawat Hossain, superintendent of police of Sylhet. Hailing from Biswambharpur upazila

under Sunamganj district,

rickshaw puller Zakir was a

BNP activist, locals said. Zakir was in the frontline among thousands of opposition activists who were marching towards the upazila complex. During the clash, he

Soon a group of BCL and Jubo League activists swooped upon the injured Zakir and beat him with sticks in the presence of police, sources said. Meanwhile, the probe

came under police attack.

committee headed by Additional District Magistrate Md Shahidul Islam started its work by talking to witnesses yesterday. The committee is to file a report within 10 days. The Sylhet district and city

Jatiyatabadi Swechchhasebok Dal organised a 'gayebana janaja' for the victims of Monday's clash at the city's Court Point after Zoh'r prayers. The situation in

Bishwanath is still tense, with villagers hiding in fear of arrest by Rab, BGB and police who were patrolling the area. A few shops and offices opened yesterday after three So far, 60 people have been

arrested in the two cases filed in connection to Monday's clash in which over 8000 people were accused.

Ukraine asks Germany to treat fasting ex-PM

AFP, KHARKIV, Ukraine

Ukraine asked Germany yesterday to send a team of doctors to treat Yulia Tymoshenko after the opposition leader went on hunger strike to protest her alleged beating in jail.

The decision was the latest chapter in a saga that has pitted Tymoshenko against President Viktor Yanukovych since his victory in contested polls two years ago threatened to further damage Ukraine's relations with the West.

The fiery former Orange Revolution leader -- sentenced in October to seven years for abusing power while premier -- accused "three strong men" of throwing a sheet over her and punching her in the stomach before taking her to a state hospital.

Ukrainian prosecutors immediately denied the charges and accused Tymoshenko of staging a political provocation designed to further damage the current leadership's relations with the European Union.

But the claims sparked a chorus of concern from the EU and the United States while also drawing calls from Russia for the authorities to show "humanity" in

the case. A Ukrainian foreign ministry spokesman said Kiev had sent an "official request to Germany for its government to assist in the arrival of German doctors from the Charite clinic to examine and treat Yulia Tymoshenko."

The clinic's doctors had paid two prior visits to Tymoshenko's prison in the eastern city of Kharkiv and dismissed claims that she was feigning debilitating back pain that has kept her bed-ridden for months.

Tymoshenko said in a hand-written letter posted on her party's website that she began fasting on Friday after being forcibly taken to a state hospital for her back condition that kept her from attendingher new trial last week.

Speaker FROM PAGE 20 The Election Commission will have to hold by-polls to the seat in 90 days once it is

declared vacant.

Ruling Awami League General Secretary and LGRD Minister Syed Ashraful Islam raised the issue at an informal discussion with the prime minister after the weekly cabinet meeting. He also claimed the constitutional provision is that lawmakers must submit their resignation letters in person to the speaker, meeting sources said. In response, Prime

about the next course of action regarding Sohel Taj's resignation, the sources added. Highly placed sources, however, said the resignation may be kept unattended without declaring the seat vacant citing "procedural

Minister Sheikh Hasina said

the speaker will decide

errors". Asked why no move yet by the Parliament Secretariat in this regard, the speaker yesterday said he is examining authenticity of the resignation letter.

"I will let all of you know when I take a decision," he told The Daily Star.

The speaker is examining authenticity of the resignation as Sohel Taj, who is abroad, did not personally submit the resignation letter and sent it through his aide.

No action by the Parliament Secretariat that functions under the speaker has however raised some questions over his jurisdiction over accepting or rejecting the resignation. Speculations are rife if Sohel Taj followed proper procedures to resign or the speaker has the authority to decline his resignation let-

A High Court verdict delivered in early 1995 however says the Constitution does not have any such provision authorising the speaker to accept or reject a letter of resignation submitted by a member of parliament.

On practice of submitting the resignation letter by an MP in person, the court said the resignation letter need not be in the hand of the lawmaker concerned; it is sufficient if it is signed by him or her.

The speaker, however, may check genuineness or voluntariness of resignation if there is any doubt, the HC

observed. The HC gave the verdict in response to a writ petition filed after 147 opposition MPs resigned en masse from the Fifth Parliament on December 28, 1994.

The then speaker, Sheikh Razzak Ali had declined to accept the mass resignation and informed the House that in his view the resignation was not contemplated according to article 67 (2) of the Constitution.

The article empowers an MP to resign by signing a letter under his or her hand addressed to the speaker and the seat will fall vacant when the writing is received by the speaker.

As he analyses the constitutional provision on MPs' resignation and the provisions stipulated in the rules of procedure of parliament, former attorney general Mahmudul Islam in his book "Constitutional Law of Bangladesh" writes that a resignation letter will take effect when it reaches the speaker.

Sohel Taj's resignation as a lawmaker is supposed to put an end to the prime minister's effort to forcibly keep him as a state minister without portfolio although he resigned from her cabinet 33 months ago.

His resignation from parliament makes him disqualified as per article 58 (1) (b) of the Constitution from being the so-called state minister without portfolio.

He is not allowed to remain as a technocrat state minister either as he was not inducted into the cabinet as a technocrat. He was an MP when he was made the state minister in January 2009. If the premier still wants

to make him a technocrat minister, she must appoint him as a technocrat minister or state minister through the president and Sohel Taj must be sworn in then.

Pakistan tests

FROM PAGE 20

The exact range of the missile was not revealed, but retired General Talat Masood, a defence analyst, told AFP intermediate range ballistic missiles could reach targets up to 2,500 to 3,000 kilometres away -- which would put almost all of archrival India within reach. On Thursday India test

fired its long range Agni V missile, which can deliver a one-tonne nuclear warhead anywhere in China. "Pakistan today successfully conducted the launch of the intermediate range bal-

listic missile Hatf IV

Shaheen-1A weapon sys-

tem," Pakistan's military said

in a statement. India and Pakistan -which have fought three wars since independence from Britain in 1947 -- have routinely carried out missile tests since both demonstrated nuclear weapons capability in 1998.

Pakistan's most recent missile test came last month

Mokhlesur, a government

employee, reached the com-

mission's office around

10:00am and remained there

The ACC suspected that

Mridha had brought Tk 70

lakh in connected with the

scam and passed it over to

Omar Faruq Talukder, sacked

aide of the former railway

picked up Mridha and his

wife from Kamalapur

Railway Station in the morn-

ing that day and dropped

did not open the sack, it

seemed to him jackfruits

were inside. He could not

confirm what was inside the

According to the driver,

Mridha did not carry any sack

or bag along when

Mokhlesur around 9:30pm

dropped him, his wife and

now-suspended top security

official of railway Enamul

Huq at Mirdha's in-laws

house on Dhanmondi road

got down from the car they

strolled for half-an-hour,

until Omar Faruq came with

his microbus and picked

them up," said Mokhlesur,

adding that nothing had

been transferred to Faruq's

vehicle from Mridha's at that

"After Mridha and Enamul

Asked, he said although he

them at their residence.

uggage.

The driver said he had

minister Suranjit Sengupta.

FROM PAGE 1

for two hours.

with the launch of the shortrange nuclear-capable Abdali, while in April 2008 it tested the Shaheen II, or Hatf

VI, missile with a range of

2,000 kilometres. Yesterday's missile, which landed in the sea, was a version of the Shaheen-1 with improvements in range and technical parameters, the military said, and can carry nuclear and conventional warheads. "This is part of Pakistan's

programme to develop nuclear and missile deterrence. It has a series of missiles in its inventory. This is perhaps the longest range missile in its programme," retired general Masood told "The whole object is

essentially India-centric while India's own programme is directed towards China. Pakistan is engaged in improving its missile system as India continues to increase its capabil-

Director General Strategic

Asked why Mridha and

That night around

Enamul got on Faruq's

microbus, Mokhlesur said he

11:30pm, member of Border

Guard Bangladesh (BGB)

recovered Tk 70 lakh from

Faruq's microbus when his

driver Ali Azam Khan drove

the vehicle into the BGB

Pilkhana headquarters in the

Mridha and Enamul Huq

were suspended on April 15

Faruq was sacked while

Meanwhile, Faruq yester-

He claimed this in his

day once again claimed that

the money hauled at the BGB

statement submitted to the

probe committee formed to

investigate the scandal. Abu

Taher, director general (DG)

of Bangladesh Railway, is

Bhaban around 11:00am and

went straight to the DG's

office to submit his written

statement explaining his

involvement in the incident.

Joint Secretary of railway

ministry Shashi Kumar

Singha, also a member of the

probe committee, was pres-

Suranjit Sengupta has no

connection with it," he said in

the statement, claiming that

"The money was mine.

ent there during the time.

Faruq reached the Rail

heading the probe body.

headquarters was his.

did not know that.

Railwaygate scandal

capital.

over the scandal.

Plans Division Lieutenant General Khalid Ahmed Kidwai congratulated scientists and engineers on the successful launch, and the accuracy of the missile in reaching the target.

He said the improved version of Shaheen 1A would further consolidate and strengthen Pakistan's deterrence abilities. Pakistan's arsenal

includes short, medium and long-range missiles named after Muslim conquerors. India's missile test last

week brought a muted international response, with China downplaying its significance, insisting the countries were partners not rivals, and Washington calling for "restraint" among nuclear powers. A study published on

Tuesday claimed that more than a billion people worldwide could starve if India and Pakistan unleash nuclear weapons, as even a limited nuclear war would cause major climate disruptions.

sources while the rest was

with the money that night,"

Faruq claimed in the state-

Faruq's microbus was head-

ing towards the Jigatola resi-

Mentionable, Faruq

cost Suranjit his position as

the railway minister just in

five months into the job. He

announced his resignation

on April 16 taking "full

The cash haul drew huge

flak from different quarters,

prompting the ACC, railway

ministry and railway to open

separate investigations into

the source of the money and

responsibility" of the scam.

dence of Suranjit.

"I was on the way to my

given by his brother-in-law.

It usually takes less than the amount from various 30 minutes by bus, but Mamun had to walk for more than one and a half house in Mohammadpur Car driver Tarikul Islam

said it took him around one

Miah Avenue only," said

Salam Munshi, driver of a

hour to go to Mohakhali DOHS from Dhanmondi-Reportedly, the money was part of the bribe taken 27, which is a 20-minute trip. from railway job seekers and "I had to wait for over half an hour to cross Manik

> The digging on Mirpur Road caused the tailback, he added. An hour's journey from

Baridhara to Dhanmondi-

said Rayma Akhtar, a resident of Dhanmondi.

the alleged recruitment business in the railway. The ACC formed a threemember committee to look into the source of the money, the reported recruitment trade and the wealth o

Faruq, Mridha and Enamul. On April 21, Mridha, Faruq and Enamul appeared before the ACC investigators he had earned a portion of and gave their statements.

Uddin Mandol and murder

of nine people; Killing of six

people, attack and arson in

Dogachi and surrounding

villages; Provoking speech

of the accused in

Jamalganj; Abduction

confinement and killing of

four people including

Iliasuddin of Nawda vil-

lage; Genocide, looting,

arson in Khetlal after pro-

voking speech of the

accused; Provoking speech

of the accused in Akkelpur;

Attack, looting, and arson

deposited that Tk 70 lakh in CNG-run three-wheeler. his account in Mercantile Bank's Dhanmondi branch on April 11. The railwaygate scandal

27 almost doubled at noon. "I have come to Rapa Palaza today (Wednesday) to shop as I didn't have any scope earlier this week,

Dhaka Water Supply and Sewerage Authority (Wasa) has started digging up 26kilometre road in the capital to install pipelines, but the work is progressing at a

snail's pace. Residents living near the digging sites have been suffering from the resul-

tant dust and pollution. Long queues of vehicles were also seen at different CNG refilling stations in the city.

Amini prays

FROM PAGE 1

the children of Prime Minister Sheikh Hasina victims of "forced disappearance".

"Allah, please vacate Hasina's lap the same way she has emptied laps of several mothers," said Amini, an ally of the BNPled opposition alliance, while offering prayers at a discussion in the city yes-

terday. Islami Ain Bastobayan Committee (IABC) organised the programme in protest against the "killing, forced-disappearance, hijacking and violence by the government" at its Lalbagh office.

Amini, chief of IACB, also prayed to Allah for putting Hasina under house arrest and ouster of the government within the next three days.

"We have a major weapon -- offering doa (prayers), which is being offered against Hasina at different mosques, madrasas and other places across the country. Waking up from sleep one sudden day, Hasina will discover her throne gone."

Regarding the "disappearance" of former BNP lawmaker Ilias Ali, Amini urged Khaleda Zia to enforce non-stop countrywide shutdown if the government fails to trace him within the BNP's four-day ultimatum that ends

Ilias along with his driver disappeared in the early hours of April 18 from the capital's Banani area.

Saturday.

There is no alternative to the government's removal as it has failed to ensure security of the people, said Amini.

370 Hindus killed

time.

FROM PAGE 20 dominated areas of Karai, Kadipur, Chakpara Sonarpara, Jogipara and Palpara of Joypurhat, said Prosecutor Rana Dasgupta reading out formal charges against former minister and

BNP lawmaker Alim. "They looted the houses before setting those alight," he said. "Male and female villagers were lined up in two rows before they were killed."

A total of 370 people were killed in different villages on that day, he said, adding that the prosecution managed to identify 38 of the

victims. The assault on that day inflicted fear among villagers who later fled the country, added the prosecutor.

In another incident, 26 freedom fighters were rounded up in Paharpur and taken to Joypurhat Government College in late June, 1971. Alim had his photograph taken with the 26 men and a Pakistani army officer and the collaborators later killed the 26 freedom fighters under his directives.

Alim was also involved in at least seven other incidents of genocide where members of political and minority groups were killed during the Liberation War of 1971, according to the prosecutor's reading out of force) of Joypurhat. charges yesterday. During the hearing on

charge framing at Tribunal-2 yesterday, the prosecutor, for the second consecutive day, was reading out the charges of crimes against humanity allegedly committed by Alim.

atrocities allegedly committed by Alim, Rana has so far read out 17 of them before the tribunal. The prosecutor read out two incidents before the court on Tuesday. Alim was being accused of 74 counts of crimes against humanity in the 28 incidents.

The prosecution also mentioned three other incidents where the accused delivered speeches instigated anti-liberation forces to commit crimes like looting, arson, rape and other crimes against humanity. When the tribunal

started yesterday's proceeding, defence counsel Tajul Islam appealed to the tribunal to adjourn the case proceeding as they could not prepare their defence. The tribunal said it might consider their

appeal after the prosecution completed reading out the formal charge when they have already started on Tuesday. Rana then took to the dais and read out the for-

mal charges until 3:30pm with one-hour lunch brake. Rana mentioned 17 bullet points in the charge each about one incident of crimes against humanity committed by Alim, the chairman of the Peace

Genocide in the area of Karai Kadipur; Pahunda Genocide; Genocide, looting, arson in Koktara, Ghorapa, Bagjana, Kutahara village; Killing of 67 Hindus in South Khas Pahunda; Confinement of Among 28 incidents of 10 people including Samir quick disposal.

Committee (a collaborator The bullet points were:

in the house of Mayen Talukdar; Genocide in West Amatra; Killing, confinement and rape in the camp of Mission School Genocide in Joypurhat Government College; Killing of 26 ox-cart drivers and their relatives; Rape of Women; and Attack on Khash Pahunda and surrounding villages. During yesterday's proceedings, the prosecution mentioned some of the dates according to the Bangla calendar and some following the English calendar.

The tribunal asked the prosecution to follow one calendar. The tribunal, the second

of two set up to deal with war crimes committed during the Liberation War, adjourned the hearing until today. The International Crimes Tribunal-1 had

taken the charges brought against Alim into cognisance on March 27 after the prosecution submitted formal charges against him on March 15. On April 16, Tribunal-1 transferred three cases, including Alim's, to Tribunal-2 for

Tailbacks snarl after hartals

STAFF CORRESPONDENT

Commuters in the capital

yesterday suffered long

tailbacks of traffic as a large

number of vehicles took to

the streets after three

straight dawn-to-dusk

ging in different parts of

the city including Rokeya

Sarani and Mirpur Road

spelled more troubles for

and Saturday) was followed

by the strike enforced by

the main opposition BNP

from Sunday to Tuesday.

Most of the residents were

virtually confined to their

a bus and walk from

Sayedabad to Gulistan due

to severe traffic congestion

in the morning. Even walk-

ing was not so easy, as part

of the road was quite dusty

due to the construction

work of Jatrabari flyover,"

said Mamunur Rahman, an

employee at a private firm

at Farmgate area.

"I had to get down from

houses during the strike.

The weekend (Friday

the city dwellers.

The ongoing road dig-

hartals.