

Wasfia mounts Everest

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trekking, told The Daily Star about Wasfia's success.

Nishat, the first Bangladeshi woman to conquer the Everest, achieved the feat on May 19. Along with fellow mountaineer MA Mohit, she is now descending towards Kathmandu.

Mohit is the first Bangladeshi to scale the mountain twice and from both sides. He first topped the peak on May 21 last year.

Bangladesh entered the list of Everest conquerors with Musa Ibrahim raising high the red-green on the mountain-top on May 23, 2010.

"Wasfia called me over her satellite phone around 7:00am... She is on her way down and may reach the base camp in a day or two if all is well," Korvi told The Daily Star.

She would like to dedicate her triumph to all the women of Bangladesh.

"We got our independence, but women are still fighting for freedom," Korvi quoted Wasfia, the youngest Bangladeshi to reach the top of the world, as saying.

"This is for the Bangladeshi women, who brave their lives every day for freedom, peace and equality."

Wasfia reached the south summit with American guide Chris Klinke and two sherpas Nima Gyurme Dorje and

Kusang Sherpa. The expedition was organised by Expedition Himalaya, said an official statement of Bangladesh on Seven Summits.

Yesterday, Expedition Himalaya through its website post confirmed Wasfia's success.

This is for the first time that a Bangladeshi woman, with no other team member, has led an expedition to the top of the world, said Korvi.

Wasfia left the base camp for the world's highest peak on Monday. She had to defer her summit push by a day due to inclement weather on Friday.

"This is it! I'm going up tonight [2:00am, May 21] for a possible summit attempt on 25th morning if all goes well," according to Wasfia's last Facebook post on May 20.

Wasfia's Everest mission began on March 26. She was supposed to reach the summit at least seven days earlier but failed because of bad weather accompanied by an avalanche.

Her Everest trip was sponsored by Bangladesh's Citybank and supported by Nepal Tourism Board, Himalayan Climate Initiatives and Nepal's Everest Women's 7 Summits Eco-Action Team. Renata and Kazi Farms acted as co-sponsors.

Wasfia launched her expedition to scale the highest peaks of the seven continents in July last year under Bangladesh on Seven Summits campaign celebrating 40 years of independence.

The campaign is a tribute to those who went through a long, dreadful ordeal for the birth of the nation.

Supported by the Liberation War Museum, this is for the first time that a Bangladeshi has taken up such a challenge.

Wasfia took leave from her job at Care Bangladesh at the end of November for this campaign, which will take around two years to draw to a close.

On October 2 last year, she became the first Bangladeshi woman to reach the highest peak of Africa, the Uhuru peak of Mt Kilimanjaro at 5,895 metres altitude in Tanzania.

She reached the peak of Mount Aconcagua in Argentina on December 16, 2011. She came back from 300 metres off the peak of Mount Elbrus in Russia on July 12.

Born in Dhaka in 1982, Wasfia went to the US in 2002 for higher education on completion of O-level and A-level in Bangladesh. She graduated from Agnes Scott College in Atlanta.

While studying in the US, Wasfia got engaged with

rights activism. She often climbed many high-rises, notably a building of around 350 metres to post banners against the Iraq war.

Prime Minister Sheikh Hasina, opposition leader Khaleda Zia, Nobel Laureate Muhammad Yunus, Musa Ibrahim and different other individuals and organisations have congratulated Wasfia.

"We are proud of you. You are the youngest Bangladeshi to have reached the top of the world. All of us Bangladeshis across the world are proud of your achievement. You are an inspiration to all Bangladeshis, especially to Bangladeshi women," said Prof Yunus in a statement.

Meanwhile, Nishat Majumder and her fellow mountaineer MA Mohit reached Namche Bazar, around 3,440 metres above the sea level.

They left the base camp Friday morning.

"They will stay tonight [last night] at Namche Bazar and will start descending again tomorrow [this] morning," said Enam Ul Haque, president of Bangla Mountaineering and Trekking Club that organised the event.

They are expected to arrive at Lukla, around 2,860 metres above sea level, today and Kathmandu tomorrow, said Enam.

ABDUCTION RUMOURS

Locals attack police camp in Jhenidah

OUR CORRESPONDENT, Jhenidah

Nearly 2,000 people attacked a police camp in the district's Shaikupa upazila yesterday following rumours of a man going missing.

Agitated, people surrounded Tamaltala police camp for an hour, tore down the entrance and the wireless tower there.

Police fired five shots in the air to bring the situation under control.

Osman Gani, Tamaltala police camp in-charge, said a clash between two Dignagar village leaders -- Jamal Uddin and Elahi Box -- occurred around noon yesterday over establishing individual dominance in the area. The clash left 20 people injured. There was another clash between them in the afternoon.

At 7:30 pm, police arrested Nuru Hossain at Dignagar village on suspicion of his involvement in the clashes. But at the request of Union Parishad Chairman Tofazzel Haq Tozom, police freed Nuru, Osman said.

But people of the area, assuming police had abducted Nuru, attacked Tamaltala police camp.

Police arrested Tofazzel, Alif Hossain and Shahid Ali on the spot.

Officer-in-Charge Shahidul Islam of Shaikupa Police Station said the situation was under control.

Additional police were deployed there to avert any outward incident, the OC said.

Himu's killers

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Some local youth clubs also formed a human chain in front of Chittagong Press Club, demanding punishment to Himu's killers.

Himu, 18, a student of Summerfield School and College, died in the capital's Square Hospital on Wednesday, 26 days after his friends pushed him down from the fourth floor of a building at Panchlaish in Chittagong. Before shoving him off the building, they beat him mercilessly and unleashed three Doberman dogs on him.

Meanwhile, a court yesterday ordered police to hand over the dogs to the Chittagong Zoo authorities.

Kazi Jahir, sub-inspector (SI) of Panchlaish Police Station and investigation officer (IO) of the case, said the court order came after police sought permission to preserve three dogs as evidence in the case.



The photojournalists, assaulted by police, come out of Sher-e-Bangla Nagar Police Station and head for hospital yesterday.

3 lens men assaulted

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staged by the students of Dhaka Women Polytechnic Institute around 1:00pm.

Lying on his hospital bed, injured Zahidul Karim said, "When the agitating students were returning to their campus after removing the road blockade, I followed them."

"When I went to the other side of the road on my motorbike, Assistant Commissioner Shahidul Islam asked me why I had travelled in the wrong direction on the street. I answered that I had gone on the wrong side to take photos," he said.

Zahidul said AC Shahidul then started yelling filthy words and said he had seen many journalists and had beaten them up too.

"When Sajid [Sajid Hossain, photojournalist and co-worker of Zahidul] asked Shahidul not to use foul language, he got angry and ordered his subordinates to beat us up. The policemen then started punching and beating Sajid and also took away his camera. At one stage, Sajid fell on the ground," Zahidul said, adding, "As I went forward to get him out of there, they assaulted me too. When Khaled [Khaled Sarkar, photojournalist and co-worker of Zahidul] went to the spot, he was attacked as well."

Zahidul said the AC then ordered the policemen to take all three of them to Sher-e-Bangla Nagar Police Station.

"They took us to the police station in a pick-up truck but the beating continued throughout the journey," Zahidul said. He added, "After we reached the police station, they took away our cameras and mobile phones."

Later, a reporter of their newspaper went to the police station and rescued the photojournalists with the help of Officer-in-Charge Zakir Hossain Mollah and rushed them to the hospital.

Later in the day, AC Shahidul Islam clearly made a caricature of himself when he talked to a journalist over the

telephone and told him, "The journalists might have been injured during a scuffle among themselves."

The journalist Shahidul talked to had taped the conversation; and the photos taken by two photojournalists before they were assaulted left no room for doubt as to how the photographers had been hurt.

On the telephone, Shahidul claimed that the photojournalists had first pinned down a sub-inspector to the ground following a heated exchange of words.

He reiterated that police did not beat up any journalists.

Apart from closing AC Shahidul, the DMP authorities suspended a sub-inspector, two assistant sub-inspectors and six constables in connection with the assault on the lens men, Additional Deputy Commissioner Masudur Rahman, in-charge of Media and Community Service of DMP, told The Daily Star.

The suspended policemen were SI Zahurul Islam, ASIs Mohammad Shafiquddin and Nazmul Huda and constables Motiur Rahman, Abdur Razaq, Mohammad Shajahan, Joynal Abedin, Ratan Kumer and Jahangir Alam.

Jahangir was the bodyguard of AC Shahidul Islam, said SI Abu Zafar of Sher-e-Bangla Nagar Police Station.

Masudur said the DMP formed a one-member committee with Joint Police Commissioner Sahabuddin Koreshito probe the incident.

Imam Hossain, deputy commissioner of Tejgaon Division, said the DMP had closed the AC and suspended the others after journalists called them and informed them of the incident.

Meanwhile, officials of Sher-e-Bangla Nagar Police Station refused to record a case in this connection.

Nasirul Islam, a staff photographer of bdnews24.com,

said, "I along with many other journalists went to the police station in the afternoon to file a case on behalf of Sajid, Khaled and Zahidul. But SI Abu Zafar on duty refused to record the case and said he would not record the case without his superior's nod."

Several organisations yesterday condemned the police assault on the journalists.

Diplomatic Correspondents Association Bangladesh President Rezaul Karim Lotus and General Secretary Bashir Ahmed condemned the police attack on the three photojournalists.

They demanded proper investigation into the incident and exemplary punishment of the guilty. They urged the authorities concerned to ensure that such incidents never happened again.

A group of photojournalists yesterday announced they would stage a demonstration before the Jatiya Press Club at 11:00am today to protest the incident.

Jahangirnagar University Journalists' Association and Human Environment Rights Society also issued media statements protesting the incident.

It's rumour

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parts of the country, a press note said yesterday.

Issued by the government, the press note clearly stated that no change to the status of the diploma engineers was made.

Diploma engineers, who enjoyed their status in the past, also enjoy the same status in the future, said the press note.

It asked the students not to be misled by the rumour spread by vested quarters.

The law enforcement agencies were also asked to find out those who were instigating the students to wreak havoc on public life and property by feeding them with rumour.



Parents of Wasfia Nazreen at their Banani residence are elated at the feat of their daughter yesterday.

Conviction pays off

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Almighty to Wasfia for her hard work, integrity, perseverance and fascination for adventures," said Chowdhury in his instant reaction hours after Wasfia conquered the Everest.

Wasfia Nazreen scaled Mount Everest yesterday morning as the second Bangladeshi woman to do so -- and that too in only a matter of days.

Expressing their anxiety over the risk to life for Wasfia, he said, "We could neither sleep nor concentrate on any work in the last four days as we talked with her on Tuesday. We passed every moment under tremendous mental pressure."

"This is the message for every woman --- they are not lagging behind and they can do everything if they have determination and courage," said Maliha Hossain Chowdhury, Wasfia's mother.

"She [Wasfia] always wants to do something for the betterment of women and to make them fit for resisting oppression against them,"

said Maliha, a former teacher of North South University.

Wasfia, born in 1982, has had a fascination for adventures and mountaineering since her childhood when she along with her family lived in a tea garden bungalow in Chittagong.

"She used to climb the nearby hills alone since her childhood. She has had the boldness since then and I have not seen her afraid," said her father, an official of a multinational company.

She has experience of different adventures, such as scuba diving, operating boats through hilly rivers and climbing on high-rises.

Wasfia's parents said they had extended maximum cooperation to her for her various adventurous activities.

"She is a free-minded girl. We have taught her to acquire social values and respect, but always encouraged her in adventurous activities," added Maliha.

While studying in the US from 2002 to 2008, Wasfia got involved in different human

rights activities. Protesting against the Iraq war, Wasfia would often hang banners from high-rises, which required rappelling, a technique of controlled descent using a rope.

Later she underwent training at different institutions in the US and Nepal, said Chowdhury.

Earlier on October 2, 2011, she became the first Bangladeshi woman to reach the highest peak of Africa -- the Uhuru peak of Mt Kilimanjaro in Tanzania, 5,895 metres above the sea level.

She reached the peak of Mount Aconcagua in Argentina on December 16, 2011. But she came back 300 metres away from the peak of Mount Elbrus in Russia on July 12.

Wasfia is the second child of Chowdhury and Maliha. Her elder brother Sarwar Najam Chowdhury is a service holder, while younger brother Waker Chowdhury is a student at an English medium school.

Fairness is the rule

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"But the action of the president or the government, as the case may be, must be based on some rational, reasonable, fair and relevant principle which is non-discriminatory and it must not be guided by any extraneous or irrelevant considerations," reads the judgement.

Article 49 of the constitution empowers the president to pardon any convict. It says, "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."

According to Section 401 of the CrPC, the government has the power to suspend or remit sentences of any convict.

"It is well settled that public power, including constitutional power, shall never be exercisable arbitrarily or mala fide and ordinarily," says the judgement.

"Guidelines for fair and equal execution are guarantors of the valid play of power and when the mode of power of exercising a valid power is improper or unreasonable, there is an abuse of power," it reads.

On the government's powers under Section 401 of the CrPC to suspend and remit sentences of any convict, the court said no rules or standard guidelines are there for the government to exercise this power.

"Thus, we are of the view that for fair, proper and bonafide exercise of the above power the government may frame rule and guideline or even amend the Code, as has been done in one of our neighbouring countries," says the verdict.

"Possibly it is high time for the government to think over the matter to avoid controversy, criticism and misuse of power," the HC judges observed.

They gave a directive for copies of the judgment to be sent to the president's secretary, home and law secretaries for their appraisal and future guidance.

The judges said they were anxious, as they had come to know of the facts and circumstances while dealing with the case.

The judgment came in response to a 15-year-old petition by Sarwar Kamal, who challenged a trial court's warrant for his arrest in Cox's Bazar in 1997, four years after he was given presidential clemency while on the run.

Kamal, now 58, was jailed by a trial court in 1989 and the

High Court in 1992 in a case for beating a man to death. The case was filed with Teknaf Police Station in Cox's Bazar in July 1981.

Following an appeal against the trial court's verdict, the HC in August 1991 granted him bail till disposal of the appeal. Subsequently, he was freed from jail.

However, in September 1992, the HC in its judgment on the appeal petition sentenced Kamal to eight years' imprisonment and ordered him to surrender before the trial court.

Meanwhile, Kamal's wife in 1991 submitted a mercy petition to the then president Abdur Rahman Biswas, who pardoned Kamal in April 1993.

Seven months before the clemency, the HC had ordered Kamal to surrender before the trial court, but he did not comply with the HC order.

The verdict said it had never been decided by any division of the Supreme Court whether the apex court, particularly the HC, has any power or authority to examine the exercise of president's power to pardon any convict under Article 49 of the constitution.

But the Indian Supreme Court in several cases gave decisions on the court's powers and jurisdiction regarding the President's constitutional power to pardon a convict, says the verdict.

Citing some judgments of the Indian Supreme Court on the issue, the HC bench said, "...though those are not binding on us, they have persuasive value."

The HC rejected the argument of petitioner Kamal's counsel that "this court has no power to examine or touch the order passed by the president exercising the power under Article 49 of the constitution."

The verdict says, "The court cannot fold its hands in despair and declare 'judicial hands off.' It can certainly be examined and decided by the court" when the question arises whether an authority under the constitution has acted within the limit of its powers or exceeded it.

"The court cannot be debarred in examining the decision making process and the correctness of the decision itself," it reads.

Referring to a home ministry order dated April 12, 1993 to remit the sentence of Kamal, the judgment says, "We cannot fold our hands and shut our eyes to examining the order."

GOVT EXERCISED PRESIDENT'S POWER

Sarwar Kamal, whose petition led to the HC judgment, held back material facts in procuring the order of pardon from the president and the government in 1993.

The judgment says, "The conduct of the petitioner [Sarwar Kamal] does not show that he with clean hands moved before the president and the government."

When a convict seeks pardon from the president or the government, he must supply some particular materials with the application for pardon, says the HC.

They are -- First Information Report and Police Report; the evidence; judgement of the trial court and appellate court, if any; information on whether the convict was on bail or in custody during trial or appeal; for how long the convict is in custody after conviction and what actual period of sentence he has served; and whether the convict is an accused or convict in any other case.

In addition to that, the authority concerned has to collect a report from the jail authority about the convict's conduct and behaviour while he was in jail, says the judgement.

But the court did not get all required documents from the administration to examine whether the process of Kamal's obtaining pardon was proper or not.

Examining the copy of the order to pardon Kamal, the court found that the government not only exercised its power to suspend or remit Kamal's sentence, but also exercised the president's power to pardon convict.

"...language of the order also has raised pertinent question in our mind how the government had exercised the power under Article 49 of the constitution, the power which must be exercised by the president as per the Rules of Business."

"The government has got no authority and jurisdiction to exercise powers under Article 49 of the Constitution. The government can exercise powers under Section 401(1) of the Code of Criminal Procedure to suspend or remit sentences of a convict."

In Kamal's case, "the government in exercising powers under Article 49 of the Constitution, as it evident from the order on April 12, 1993, exceeded its jurisdiction," says the judgement.

The HC directed Kamal to surrender before the trial court within six weeks.

90 killed

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French Foreign Minister Laurent Fabius condemned the massacre and said he was "making immediate arrangements for a Friends of Syria group meeting in Paris."

The United States, France, Britain, Germany, Saudi Arabia and Qatar are leading members of the Friends, which has held several meetings calling for tougher action against the Assad regime.

He spoke after the rebel Free Syrian Army (FSA) again called for the Friends of Syria group of nations to carry out air strikes on the forces of President Bashar al-Assad.

"We are calling urgently on the Friends of Syria to create a military alliance, outside of the UN Security Council, to carry out targeted strikes against Assad's gangs and the symbols of his regime," said Turkey-based General Mustafa Ahmed al-Sheikh, head of the FSA's military council.

Against that backdrop, the Syrian Observatory for Human Rights accused the international community of standing "silent in the face of the massacres committed by the Syrian regime."

Amateur videos posted on YouTube showed horrifying images of children lying dead on a floor. Some of their corpses badly mangled, with at least one child's head partly blown away.

Earlier, SNC spokeswoman Basma Kodmani said "more than 110 people were killed (half of whom are children) by the Syrian regime's forces" in Houla.

"Some of the victims were hit by heavy artillery while others, entire families, were massacred."

"The Syrian National Council urges the UN Security Council to call for an emergency meeting to examine the situation in Houla and to determine the responsibility of the United Nations in face of such mass killings, expulsions and forced migration from entire neighbourhoods," she added.

State news agency SANA blamed "armed terrorist groups" for the killings, adding that "clashes led to the killing of several terrorists and the martyrdom of several members of the special forces."

Later, members of the UN team of military observers in the country arrived in Houla to assess the situation, SANA and the Observatory said.

They went to the village of Taldau on the edge of Houla "to document the crimes committed in the past 24 hours, in violation of the ceasefire," the Observatory said, adding that "explosions and gunfire could be heard."

Anti-regime activists said angry protesters turned out to streets yesterday to demonstrate against the killings. Protesters vented their anger at international community accusing them of doing little.

One demonstrator held up a sign reading: "(Kofi) Annan is singlehandedly responsible for the Houla massacre," blaming the special UN-Arab League envoy for continued violence.

Annan brokered a six-point peace plan, which included a ceasefire that went into effect on April 12 but has been breached daily since then.

Tk 228cr project

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The government will fund the scheme, he added.

Under the project, the BIWTA would buy four modern water cleaning machines at a cost of Tk 100 crore.

Earlier, the BIWTA had conducted a pilot project to extract waste from three kilometre river bed of the Buriganga and one kilometre of the Turag.

It had extracted 8.56 lakh cubic metres of waste at a cost of Tk 16.93 crore under the funding of Department of Environment, said Project Director Raquibul Islam.

"During the pilot project, we were able to extract waste from the river bed, but could not make the water pollution-free as the pollutants are mixed with the water," added Raquibul, also a BIWTA executive engineer.