



# The Daily Star

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## CARETAKER GOVT SYSTEM

# Not all judges ruled it illegal

4 judges for scrapping, 2 for continuation, one leaves it to JS; full judgment released

SHAKHAWAT LITON and ASHUTOSH SARKAR

The Appellate Division of the Supreme Court last night released its full verdict declaring illegal the constitutional provision for a non-party caretaker government system.

All seven judges of the apex court bench that delivered the

historic judgment over 16 months ago put their signatures to the full text around 10:00pm yesterday.

Of the seven judges, four -- former chief justice ABM Khairul Haque, Chief Justice Md Muzammel Hossain, Justice SK Sinha and Justice Syed Mahmud Hossain -- were in favour of

declaring the caretaker provision unconstitutional; two -- Justice MA Wahhab Miah and Justice Nazmun Ara Sultana -- were for keeping the provision; and one -- Justice Md Imman Ali -- opined that the matter should be left to parliament.

In the present political context,

the complete verdict was deemed crucial to explaining how the next general election could be held.

The judges came up with the full judgment after holding meetings in two phases -- for two hours since 11:00am and nearly three

SEE PAGE 19 COL 1 FOR FULL TEXT, VISIT www.thedailystar.net

## MLM SWINDLE

# Govt moves to lay down rules

Draft bill goes to cabinet today

REJAUL KARIM BYRON

The government will enact a law to clamp down on multi-level marketing (MLM) companies, such as the Destiny Group, which are blamed for swindling people out of their money with their controversial marketing system.

The law will ban the so-called pyramid schemes widely used by MLM companies.

The pyramid scheme is a system of sales that is not concerned with the end users of the product. Under the pyramid scheme, which is different from legitimate direct selling, profits are made on sales to the company's new recruits, who buy the products to get into the network.

The Direct Sales Act, 2012, will be placed at a cabinet meeting today after a two-year period of dithering due to pressure from groups with vested interests.

The draft proposal for the law says after it comes into effect, pyramid-like sales, whichever name it may have,

SEE PAGE 6 COL 7

Destiny spent lavishly on certificates

SAJJADUR RAHMAN

After the detection of massive corruption ranging from money laundering to fake recruitment, a large-scale misuse of fund has been discovered in the controversial Destiny Multipurpose Cooperative Society Ltd.

The latest fund misuse involves printing of its 8.5 lakh shareholders' certificate from abroad when printers in the country say they have the latest technology for the job.

The printing -- done in Hong Kong on Australian paper -- has caused the cooperative a loss of Tk

11.39 crore in shareholders'

SEE PAGE 7 COL 8

## FOR

STAFF CORRESPONDENT

Justice Md Abdul Wahhab Miah justified the constitution's 13th amendment, which introduced the caretaker government system, saying that it was incorporated in the charter to institutionalise democracy by holding credible elections.

"Free and fair election is an essential pre-requisite for a democracy."

SEE PAGE 19 COL 1

## AGAINST

STAFF CORRESPONDENT

The next two national polls may be held under the non-party caretaker government at parliament's discretion, although the system is being declared illegal, for it undermined the people's sovereignty.

Former chief justice ABM Khairul Haque has come up with this

# Mashiur's dilemma

Should he or shouldn't he resign?

MAHFUZ ANAM

Mashiur Rahman, the Prime Minister's adviser for economic affairs, faces the greatest dilemma of his life. To go or not to go is the question confronting him like a nightmare that does not go away however he wishes it to. If he has not done anything wrong then why should he resign? On the other hand, his legitimate desire to protect his own reputation will, definitely, cost the country a vital bridge on the construction of which the development of a particular region of the country is linked. So, he is



## COMMENTARY

damned if he resigns and damned if he does not. Not a pleasant position to be at the fag end of what has been a successful career.

More than I know Mashiur Rahman, I know of him. A life long bureaucrat of substantial repute, never tainted by corruption or even a rumour of it, a quiet technocrat, an adept manipulator of events from behind the scenes, known and respected for his analytical skills, thrown recently into the limelight for his

SEE PAGE 14 COL 3

# No share in govt failures

Menon tells The Daily Star; says his party decided a year ago not to join govt

REAZ AHMAD

The Workers Party of Bangladesh at a meeting of its politburo on September 15 last year decided not to join this government.

Exactly a year after, Prime Minister Sheikh Hasina

SEE PAGE 19 COL 5



## HALL-MARK SCAM

# Turn in bank details

Central bank asks 32 Sonali officials; scam buster not allowed to probe suspicious loan

STAFF CORRESPONDENT

The central bank yesterday asked 32 Sonali Bank officials, including a former managing director, to submit their bank statements within 10 days.

The statements will be sent to the Anti-Corruption Commission for legal action if it is found that they have illegal incomes, a Bangladesh Bank officials said.

The names of these officials came up during separate investigations after the loan scam at the bank's Ruposhi Bangla branch

was unearthed in May this year, he added.

They will have to submit statements of their savings, current, fixed or any other accounts and also statements of their loans.

Of the 32 officials, 17 have been suspended over their alleged involvement in the Tk 3,606-crore loan scam involving Hall-Mark Group and five other companies. Of the sum, Hall-Mark alone swindled Tk 2,686 crore.

Former managing director Humayun Kabir, deputy managing directors Atiqur

SEE PAGE 19 COL 5

# HSBC The Daily Star Climate Awards

Our conscious choice of preserving the environment today can lead to a better and sustainable future. The 'HSBC - The Daily Star Climate Awards 2012' seeks to promote and recognise the climate champions of Bangladesh for their commendable efforts in making a difference in protecting our environment and managing the risks of climate change.

The awards will be given in the following categories

- ▶ Climate Champion in **Green Business**
- ▶ Climate Champion in **Green Operations**
- ▶ Climate Champion in **Knowledge Management**
- ▶ Climate Champion in **Community Engagement**

Send your nominations on or before **31 October 2012**

For nomination form or other details, please visit [www.hsbc.com.bd](http://www.hsbc.com.bd) or [www.thedailystar.net](http://www.thedailystar.net)

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