



A man looks at the flame from Tengratila Gas Field explosion in 2005. Inset, Tarique Rahman's aide Giasuddin Al Mamun, an accused in a case relating to a deal to give Niko an unexplored gas field in Chhatak East, flouting rules.



PHOTO: FILE

NIKO CONTROVERSIES

Driven by Hawa Bhaban

STAR REPORT

Canadian company Niko has been mired in controversies ever since it entered the country's energy sector. It was disqualified in an oil and gas block bidding in 1996 as a small, new and inexperienced company. Later, Niko lobbied the then Awami League government to give it a partnership deal with Bapex in the development of marginal or abandoned gas fields. The then energy secretary Tawfiq-e-Elahi Chowdhury responded to the lobbying but could not seal the deal due to the change of power. As the BNP-led alliance assumed power in 2001, Niko turned to the young leaders of Hawa Bhaban, which was known as an alternative power centre of the then government, and had the unsolicited deal done by 2003. Although the deal was meant for three marginal gas fields, the company was given an unexplored gas field in Chhatak East in violation of the rules.

Niko succeeded in developing an old field in Feni in 2004 but its incompetent and negligent operation in Chhatak led to two blowouts the next year. The government demanded compensation for that but the Canadian company refused to pay. The Anti-Corruption Commission in 2007 filed two cases against the incumbent prime minister, Sheikh Hasina, the opposition leader, Khaleda Zia, and a number of officials and a Niko representative for the Niko deal. Giasuddin Al Mamun, a close friend of Khaleda's son Tarique Rahman, is among the accused. The following year, the government sued the company at a Dhaka court, claiming compensation. A magazine of Canadian newspaper Globe and Mail in August 2011 revealed that Niko had paid half a million dollars to Hawa Bhaban men to get a controversial joint venture deal with Bapex in 2003. The magazine citing Canadian police records of Giasuddin's state-

ments added that initially Niko offered him \$10,000 to make the deal successful. But Mamun ultimately failed to do so. The report quoted him as saying that as a mere buddy of the then prime minister's son, there was only so much he could do. "My power is 50%," he had said. Businessman Selim Bhuiyan, who separately gave confessional statements to a court in Dhaka, had said Niko deposited more than half a million US dollars in his bank account. He dispersed some of the money to those close to the then prime minister Khaleda Zia, including Mamun. A portion of the payment, Bhuiyan believed, had gone to Khaleda's son Tarique. The Canadian court did not try Niko for bribing these people in the face of two challenges -- one is gathering evidence in Bangladesh and another getting witnesses before a Canadian court.

Niko fails to dodge it

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During proceedings, Bangladesh challenged the tribunal's jurisdiction to hear Niko's claims. In its decision, the tribunal, presided over by Michael E Schneider, said it "has no jurisdiction over Bangladesh, which therefore no longer be a respondent in this arbitration." The tribunal said it also had no jurisdiction over Petrobangla under the joint venture agreement signed between Niko and Bapex. Petrobangla Chairman Hossain Monsur disclosed the development at a press briefing at his office in the

afternoon. "It is now for the district judge's court of Bangladesh to make the final decision," he said. The recording statement of the court has been completed and the hearing will take place soon, said officials of Petrobangla. Monsur said the tribunal ruled that Niko would have to come to it along with Bapex for the arbitration suit to be sustained, as Niko and Bapex were parties in the joint venture. "Bapex will not go to the tribunal," he added. **THE CASE IN DHAKA COURT** According to the 2008 case documents, Niko entered

into a joint venture with Bapex on October 16, 2003, for development and production of petroleum from the Chhatak and Feni gas fields. Niko started drilling the Chhatak-2 well on December 31 the following year. Niko drilled the first well there without the required approval of a Joint Management Committee. It met with the first blowout on January 7, 2005, in Tengratila of Sunamganj. A follow-up inquiry committee of the energy ministry found the blowout had resulted from operational failure and inappropriate casing design. Niko took up a

programme for drilling a relief well to contain the blowout. While the well drilling was in progress, another blowout occurred on June 24, 2005. "Niko did not have experience of its own in respect of designing and implementing relief well and Niko engaged GSM Inc. to design and supervise the relief well operation," stated the case. More inquiry committees were formed and all of them held Niko responsible for operational failures, negligence and inappropriate casing designs for the blowouts. They observed that the field might have lost roughly

about 1 billion cubic feet gas. On December 6, 2005, the government formally demanded compensation from Niko. As the company did not respond, Petrobangla served it with a legal notice on May 27, 2008, followed by a schedule of the claim giving a breakdown of Tk 746 crore. Niko through a study tried to play down the damage and said the field had only 110 bcf gas. But a 1996-97 study of Petrobangla had identified a resource base of 1.9 trillion cubic feet (tcf) there -- of which 1.1 tcf might be commercially produced.

Victims of 'nothing to do'

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Mishkat spends around Tk 3,000 a week on these recreational pills to fuel spark in their social gatherings. Asked why he and his friends did not go for sports instead, he said they cannot play outdoor games. "I used to go to a private school in Uttara that had no space to play," he said. Ahnaf (not real name), who claims himself as a light user, spends around Tk 5,000 a month for his pills and uses other cheap pharmaceuticals when out of cash. "A heavy user may spend as much as Tk 1 lakh on yaba a month. So they have to come from well-off families," said Ahnaf. Another user, Omar (not his real name), revealed that tablets can cost between Tk 250 to Tk 650 per pill, making this drug abuse a very expensive affair. "Alongside students and teenagers, working people too make up a huge section of the yaba-user population because they can afford this expensive drug," he added. Since a major ingredient of the pill is caffeine, it allows them to stay awake longer and seemingly be more productive, said Omar. "The better quality ones come in pink-red colour

and contain a good volume of methamphetamine, whereas the low-grade orange pills have high concentration of other drugs like heroin," he added. Methamphetamine, also popularly called as "ice", is the drug that gives the "high", which in this case includes increased levels of euphoria, energy, or libido. Omar said he scores pills from street dealers. "There are around 5,000 such dealers in the capital's Dhanmondi alone," he claimed. Ahnaf said these dealers use special means to hook customers. "They first supply the real pills to provoke addiction, and then replace those with placebos, which leave customers dissatisfied and craving for more."

seen yaba pills being transported in the battery space of a mobile phone, said Asaduzzaman, adding that the pills were, however, not produced in the country. "About 25 people command the yaba supply syndicate, and they all are involved in politics," he claimed. A pourashabha head of Teknaf, seeking anonymity, also verified that the suppliers indeed were all politically linked. "Law enforcers are also involved in this business; otherwise such a trade could not have flourished so much. Every day lakhs of tablets are brought in covertly using fishing trawlers, or hidden in the clothes of Rohingya women and children," he said. He added that as per prices this week, each tablet was costing between Tk 50 and Tk 200 at source, which would be sold at double this price to customers. This makes yaba dealing a highly lucrative business. Every month around 5,000 to 7,000 tablets are tracked and confiscated by the authorities, said Deputy Director of Narcotics Control Department Mohammad Ali Aslam Hossain. "Yet, the total volume that goes uncaught should be more than 20 times of what we seize," he added.

Contempt rule

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conducted an investigation on behalf of the prosecution" and expressed concern over "collusion and bias among prosecutors and judges". The HRW also expressed concern over the "failure to take steps to protect defense witnesses", and "lack of evidence to establish guilt beyond reasonable doubt". Yesterday around 2:30pm, a seven-member delegation of the prosecution submitted the petition to the registrar office of the International Crimes Tribunal. In the petition, the prosecution urged the International

Crimes Tribunal-1 to initiate the contempt proceedings against HRW Asia Director Brad Adams, its associate for the Asia Division Storm Tiv, and its board of directors. Prosecutor Turin Afroz, a member of the delegation that filed the petition, said if proved, the accused would have to serve one year in jail or pay Tk 5,000 as fine or both. After the publication of the HRW report, Tureen told The Daily Star that the case against Ghulam Azam was pending with the Appellate Division of the Supreme Court and the HRW statement at this

stage was tantamount to contempt of court. She also claimed that the HRW was not accountable to anyone and by taking this advantage it was actually serving its donors. On July 5, the International Crimes Tribunal-1 awarded Ghulam Azam 90 years' jail finding him guilty in all five charges of crimes against humanity and genocide. Ghulam Azam has appealed challenging the verdict while the state has also appealed against "inadequate" sentencing.

Padma consultant

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corruption in the project. Quader said three pre-qualified firms have purchased tender documents for construction of the main bridge. But he did not give names of the firms. Bridges Division officials told The Daily Star that the firms are Samsung C&T Corporation of South Korea, China Major Bridge Engineering Co Ltd and Daelim-Bam-VCI (a joint venture entity of South Korea). Of the two other pre-qualified firms, Vinci-

HCC (a joint venture of France and India) is yet to buy tender document while China Communication Construction Company Ltd has been excluded from the bidding process after it was blacklisted by the WB. On June 26, the government floated tender for construction of the main bridge and asked the pre-qualified firms to submit bids by September 9. The estimated construction cost of the main bridge is Tk 11,829 crore or \$1.18 billion.

Muslim Brotherhood chief

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Judicial sources meanwhile said fresh accusations had been levelled against Morsi, who has been detained at a secret location since his July 3 ouster by the army. And former president Hosni Mubarak won conditional release in the third of four cases against him, but remained in detention on the last case. The interior ministry said police picked up Brotherhood chief Badie near Rabaa al-Adawiya square, where more than 280 Morsi supporters were killed on Wednesday as police cleared their protest camp. It released a video of the 70-year-old, sitting impassively on a sofa, bottles of juice and water placed conspicuously in front of him.

The Brotherhood's political party said the group had appointed deputy Mahmood Ezzat to assume the role of supreme guide. Ezzat has been jailed multiple times, and is often referred to as the organisation's "iron man", experts on the group say. Compared to Badie, Ezzat is a "hawk," said Karim Bitar, research director at the Institute for International and Strategic Relations. "It could be a signal, showing we can respond to authoritarianism with more authoritarianism," he said. "In any case, it's a sign that this is not the time of the moderates in Egypt," he added. Violence has rocked Egypt for days, polarising the country and drawing international

opprobrium. Meanwhile, Turkey's prime minister yesterday said Israel was behind the ouster of Egypt's Islamist President Mohammed Morsi, and that Turkey has evidence to prove it. The evidence that Recep Tayyip Erdogan had to offer, however, was a 2011 meeting in France between the Israeli justice minister and an unnamed Jewish French intellectual whom he quoted as saying the Muslim Brotherhood would not be in power even if it wins elections. Turkey and Egypt recalled their ambassadors last week as relations worsened. Rights group Amnesty International on Monday decried violence in the coun-

try as "utter carnage". The group's secretary general Salil Shetty warned the country's government had "stained its human rights record". Human Rights Watch called on Egypt's rulers to "urgently reverse" instructions for police to use live ammunition against protesters. And the UN rights office said it was pressing Egyptian authorities to let it deploy monitors in the crisis-racked country. Last Thursday, UN rights chief Navi Pillay demanded an "independent, impartial and credible" probe into the bloody crackdown by Egypt's security forces, saying anyone found guilty of wrongdoing should be held to account.

Mueen escaped from freedom fighters

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part in Eid prayers at Fajilergat Bazar under Daganbhuiyan in Feni for his "role during the Liberation War, Shariatullah said. State-appointed defence lawyer Salma Hai Tun completed Shariatullah's cross-examination and suggested that Mueen was involved with neither Al-Badr nor the intellectuals' killings and had left the country upon approval from the authorities concerned. The three-member tribunal led by Justice Obaidul Hassan with members Justice Md Mozibur

Rahman Miah and Justice Md Shahinur Islam adjourned the proceeding until today. Mueen Uddin, now in the UK, and Ashrafuzzaman, now in the USA, are facing 11 charges for their alleged involvement in the killings of 18 intellectuals in the last week of the nine-month-long war. During his 35-minute testimony, Shariatullah, a businessman of Hasan Ganipur village in Daganbhuiyan, said after taking training at India's Assam, he had taken part in the war. Shariatullah said he returned to Feni after it had

got free on December 6, 1971 and learned from newspapers after victory that Mueen was "involved" in the killings of intellectuals. Shariatullah added Mueen Uddin, son of Delowar Hossain Chowdhury, of Jagatpur alias Chandpur village, which was four kilometres away from his house, was a student of Feni City College three to four years before the war. "Mueen Uddin's father had a book stall in Daganbhuiyan and Mueen Uddin used to run the shop occasionally," said Shariatullah, adding, "As a

leader of Islami Chhatra Sangha [the then student wing of Jamaat-e-Islami], Mueen used to hold meetings and processions in the area." Later, Mueen Uddin had enrolled at Dhaka University and worked for Daily Purbadesh, he said. He further said Mueen had formed Razakar force in Feni comprising his family members during the war. "He was a leader of Al-Badr and was involved in the killings of journalist Shahidullah Kaiser, who was also from Feni, and other intellectuals, which we learned from newspapers," he said.

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