



PHOTO: STAR

Hajiganj upazila administration in Chandpur led by Upazila Nirbahi Officer (UNO) Hosne Afroza confiscated 115 decimals of land owned by Bangabandhu's killer Lt Col (dismissed) MA Rashed Chowdhury in Sonaimuri area of the upazila yesterday. The local administration later put up a signboard on the land of the killer, who was sentenced to death and remains fugitive abroad.

## Ban on fishing in Kaptai Lake takes effect May 2

OUR CORRESPONDENT, Rangamati

Bangladesh Fisheries Development Corporation (BFDC) has imposed a ban on fishing in Kaptai Lake for an indefinite period from May 2.

A letter issued in this regard yesterday instructed the district officials of Bangladesh Fisheries Development Corporation (BFDC) and local administration to strictly enforce the ban on fishing in the lake.

The administration also

All kinds of netting, marketing, preservation, drying and transportation of fishes have been banned.

Besides, the fishermen have been asked to move their dried fish from Rangamati to other destinations within three to four days.

The administration also asked all people to refrain from catching fish from sanctuaries including those in front of BFDC landing terminal, DC Bungalow,

Parjatan areas and UNO office at Longudu until further order.

Every year, the authorities enforce the ban for three months from May-July for breeding and boosting fish production in the lake. During the period, mother fishes lay eggs while fish fries are also released in the lake.

A section of fishermen with the connivance of some dishonest fisheries officials catch fish and fish fries indiscriminately during the ban period.

To prevent this trend, as many as 21,000 fishermen, who earn their livelihood through fishing in the lake, have been brought under a VGF (vulnerable group feeding) programme by the authorities concerned.

Upazila nirbahi officers (UNOs) will distribute VGF cards among the fishermen in their respective areas. Under the programme, each fisherman will get 30-kg of rice per month.

## Bogra Jamaat leader held

OUR CORRESPONDENT, Bogra

Police arrested a local Jamaat leader from an abandoned petrol pump in Noymail area on Bogra-Dhaka highway under Shahjahanpur upazila yesterday morning.

The arrestee is Arshadul Bari Arshad, 42, joint secretary of the Bogra unit Jamaat-backed labourers' organisation Samik Kalyan Federation.

Arshad, also the former counsellor of ward No 8 under Bogra municipality area, was the mastermind of the violent incident took place in the town on March 3 last year, said police.

The arrestee is accused in 21 cases including two for murder, said assistant superintendent of police Gaziur Rahman.

## BAU students to start fresh agitation from today

BAU CORRESPONDENT

Agitating students of Bangladesh Agricultural University (BAU) will enforce an indefinite strike at the university from today, demanding arrest of all accused in Saad Ibney Momtaz killing case.

The students, who have been agitating since April 2 demanding arrest and exemplary punishment of the accused, announced the programme yesterday. They demanded capital punishment of the accused under the Speedy Trial Tribunal Act.

Yesterday around

8:30am, the agitation students staged a sit-in in front of the administrative building and brought out a procession on the campus. They urged the fellow students to boycott their classes and take part in the fresh agitation programme.

Earlier, on April 9, the BAU authorities expelled three students and suspended three others for their alleged involvement in the killing on the basis of a report submitted by the first investigation committee on April 8.

Rejecting the university authority's decision, the students have been continuing their agitation demanding life

term expulsion of the students involved in the murder.

The university authorities on April 15 formed a five-member probe body for carrying out further investigation. The committee have been asked to submit its report within next 21 working days.

Saad Ibney Momtaj, a final-year student of fisheries faculty of the university, succumbed to his injuries at a private clinic in Mymensingh town on April 1, a day after some unruly BCL men beat him up mercilessly at Ashraful Haque Hall on the campus.

## Mahmudur

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him to stop running reports against them, alleged Mahmudur, who is now in jail custody.

Rejecting his discharge petition, Judge Bashudev Roy of the Special Judge's Court-3 framed charges against the accused and fixed May 28 for starting the trial of the case.

On July 15 of 2010, ACC Deputy Director Nur Ahmad, also investigation officer of the case, submitted the charge sheet to the Chief Metropolitan Magistrate's Court, Dhaka.

The Anti-Corruption Commission (ACC) on June 13 the same year filed the case with Gulshan Police Station against Mahmudur, also the former Board of Investment chairman.

In the case statement,

Mahmudur was accused of committing punishable offence by defying ACC's order, which served a notice on April 19 of 2010 to the former energy adviser asking for wealth statement.

Mahmudur was first arrested on June 2 of 2010 in a case filed on charge of preventing police from discharging their duties.

Later he was sentenced to six months' simple imprisonment for a contempt of court proceeding.

He was arrested for the second time on April 11 last year in a sedition case filed for running an online conversation between Justice Md Nizamul Huq, former chairman of International Crimes Tribunal-1, and expatriate Bangladeshi legal expert Ahmed Ziauddin.

## SNIPPETS

### 'Missing' youth found dead

OUR CORRESPONDENT, Patuakhali

Police recovered the body of a 'missing' youth from Muradia area under Dumki upazila yesterday morning. Son of late Abdul Motaleb Mollah of Moukar village in Sadar upazila, Mansur Mollah, 25, was a hired motorbike driver. He went out of house with the vehicle on April 24 and did not return since. The body was sent to Patuakhali General Hospital morgue for autopsy, said Ziaul Haque, officer-in-charge of Dumki police station.

### 53 houses gutted

UNB, Thakurgaon

At least 53 houses were gutted in a fire at Sukatipara village under Sadar upazila on Sunday night. Locals said the fire originated from a kitchen of a house at the village around 8:00pm and soon engulfed 52 other adjacent houses. On information, fire fighters rushed to the spot and doused the blaze after one hour of frantic efforts. Azizul Islam, station master of Thakurgaon Fire Service, said the extent of loss from the fire could go up to Tk 25 lakh.

### Lightning kills one

UNB, Goalanda

A young man was killed and another injured by a lightning in Doulatdia ferry ghat area yesterday morning. The deceased was identified as Farid Sheikh, 30, and injured Farhad Sheikh, both residents of Mohanganj village in Bera upazila of Pabna district. Locals said a thunderbolt hit Farid and Farhad when they were catching fish in the ghat at about 7:30 am, leaving them seriously injured. They were rushed to Goalanda Upazila Health Complex where on duty doctors declared Farid dead.

### Man murdered

OUR CORRESPONDENT, Feni

An unidentified man was found murdered on the bank of the river at Chanchpur village in Dagonbhuiyan upazila yesterday morning. The body bore several stab injuries. Locals found the body in the area and informed the police who sent it to Feni Sadar Hospital morgue for autopsy. Criminals killed the victim and dumped the body in the area, said police.

### Mugger hurt in police firing

UNB, Jessore

An alleged mugger was injured in police firing at Chachra Kalitala in Sadar upazila on Sunday. The injured was identified as Anwar, son of Faruq Hossain, of Chachra Raipara area. Sub-Inspector Jamaluddin of Chachra police camp said informed that a gang of muggers, who snatched a gold chain of a woman from Raipara of the district town on Saturday evening, were chatting with one another at Bodhyabhami of Kalitala at noon, a team of police raided the area. Sensing the presence of police, muggers attacked the law enforces, prompting them to fire three bullets that left Anwar injured in his knee. He was admitted to Jessore Medical College and Hospital.

### Three drug peddlers held

OUR CORRESPONDENT, Bogra

Members of Rapid Action Battalion (Rab) arrested three drug peddlers along with 76 bottles of phensidyl and a cell phone in Brindabanpara area of the district town early yesterday. The arrestees are Minhaj Uddin Sumon, 28, son of Mofazzal Hossain of Shabekpara village, Milon Mia, 27, son of Faruque Hossain and Saidur Rahman Riyal, 42, son of Mojibur Rahman of Atbaria village under Gabtoli upazila. Police said on secret information, a team of Rab-12 raided the area and arrested the trio along with the phensidyl. They were later produced before a court which sent them to jail.

### Safe water distribution camp

OUR CORRESPONDENT, Barisal

Barisal district administration opened oral saline and safe water distribution camp for the heat wave affected day labourers on Sunday. Shohidul Alam, deputy commissioner, opened the camp at Ashwini Kumar Hall premises in the city. In the camp, at least 1,000 day labourers, including rickshaw puller and hawker, and heat wave affected other people will get free oral saline and safe water for drinking. It will continue till April 30.

## AK-22 rifle

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who were coming to Dhaka from Chittagong. The arms and explosives were found stashed in a black travel bag on their overhead luggage rack.

Law enforcers suspect that any militant organisation might have wanted to use those sophisticated arms and explosives, including around two kilograms of power gel and 10 detonators, to carry out subversive activities in the capital.

Railway Minister Mujibul Haq echoed the same concern at a press briefing at Kamalapur Railway Station.

"The seized AK-22 rifle having effective range of around half a kilometre is used in long-distance battle," said Additional Deputy Commissioner of Detective Branch (DB) Sanwar Hossain. The explosives are usually used by highly organised militant organisations.

Asked whether banned militant outfit like Jama'atul Mujahideen Bangladesh (JMB) or Harkat ul Jihad al Islami (Huji) were linked with the arms and explosives, Sanwar, who heads the bomb disposal unit of DB, said it could be determined through an investigation.

Earlier in August last year, the Rapid Action Battalion arrested three members of a new organisation believed to be an offshoot of JMB in the possession of a huge cache of firearms, including an AK-22 semi-automatic rifle.

Acting on a tip-off, a team of Government Railway Police Subdaray searched the compartments of Dhaka-bound Subarna Express from Chittagong when it reached the airport station around 1:15pm and found the ammunition, said Nazrul Islam, sub inspector of Dhaka Railway Police Station.

The arrestees told The Daily Star correspondent at the police station that the travel bag found in the train did not belong to them.

"We don't know who put that bag near our seats," Nurul said. He identified himself as a roadside vendor in the capital's Shahbagh.

Shamim said he was a hawker in Ashulia on the outskirts of the capital.

Railway police said they would appeal to the court today for 10 days' remand of the arrestees so that they could extract from them who else were involved in the matter.

## Trial targeted freedom fighter officers

FROM PAGE 1

Both Ershad and Mohabbat Jan expressed their ignorance about it. Moin could not believe that they were unaware of the circumstances.

Thus, keeping the adjutant general away, the army authorities completed all the formalities related to the court martial. A seven-member field general court martial, led by Major General Abdur Rahman, who had been repatriated from Pakistan, was set up. Majority of the members of the court were repatriated officers.

The home ministry asked the then deputy commissioner of Chittagong, Ziauddin M Chowdhury, to prepare rooms in the Chittagong district jail to accommodate the court.

The home ministry's order surprised the deputy commissioner, who thought it was an unusual arrangement. A court martial is always held in the cantonment.

In this case, the army requested this unique arrangement as the arrested army officers were being kept in the district jail. The Chittagong civil administration made the arrangements in line with the demands of the army.

The field general court martial got under way on July 10, 1981 to try 33 army officers charged with the assassination of Zia and staging a mutiny on May 30, 1981. They had already been charged with the offences by a stage-managed court of inquiry dominated by officers earlier repatriated from Pakistan.

The army headquarters, dominated by officers, including army chief Ershad, repatriated from Pakistan after the country's Liberation War was over, constituted the field general court martial in a pre-planned way to punish the accused. The field general court martial was empowered with jurisdiction wider than that exercised by a general court martial.

In a general court martial, the accused are entitled to better treatment in spite of the grave

nature of the offences. The court is also larger, the aim being to ensure a fair trial for the accused. All rights of the accused, under the military law, are to be ensured. The accused will be able to exercise them to their fullest advantage.

But in the field general court martial formed in 1981, the provision of rule 35 of the army rules was disregarded and no accused person was given the opportunity to raise any objection to having any member of the court adjudicate his case.

In this trial, three senior officers – one brigadier and two lieutenant colonels – were the prosecutors. They had been repatriated from Pakistan.

Three defending officers were appointed for the accused individuals. The selection did not reflect the individual choices of the accused.

Of the three officers appointed to defend the accused, a brigadier was repatriated from Pakistan, while a colonel and a lieutenant colonel were freedom fighters.

Relatives of Brigadier General Mohsin Uddin Ahmed, who was facing court martial, applied to the field court martial seeking permission to engage advocate Gaziul Haq to defend Mohsin before the court.

Relatives of Col MA Rashid and Major Dost Mohammad also sought permission to engage advocate Aminul Haq to defend them before the court. Aminul Haq had even visited Chittagong and met the authorities concerned.

But their applications were rejected, though military laws allow civilian lawyers to defend accused individuals before a court martial.

Several other provisions of the army rules were violated as well.

The trial was completed in a hurry in only 17 days, beginning from July 10. The court awarded death penalty to 12 officers and various terms of jail sentences to 14 others. The remaining defendants, though acquitted,

were dismissed from service.

Lt Col Fazle Hossain, who was ill during the first court martial, was later tried by another field general court martial led by Brigadier Mofizur Rahman, another repatriated officer.

The most important finding of the camera trial was holding General Manzur responsible for masterminding the rebellion and assassination of President Zia. Manzur was labelled posthumously the leader of the failed rebellion by the field general court martial, led by Gen Abdur Rahman.

None of the convicted officers was allowed to file appeals against their convictions owing to stringent legal provisions. The Army Act did not provide for any appeal against the decision of the court martial.

On the grounds of illegality and miscarriage of justice, a writ petition, however, was filed with the High Court challenging the decision of the court martial.

But the HC rejected the petition on the ground that the writ jurisdiction of it was excluded by sub-clause 5 of Article 102 of the Constitution. This sub-clause overrode the HC's jurisdiction to exercise authority on the application of any person aggrieved by the action of a military court.

The matter was taken to the Appellate Division of the Supreme Court which had held the same views as the HC.

Finally, the fateful night came on September 23, 1981. The officers were hanged in different prisons.

The trials were part of organised efforts to eliminate freedom fighters in the army. These efforts were led by officers who had been repatriated from Pakistan after the emergence of Bangladesh.

Considering the nature of the trials and the convictions, many say the trials had targeted the freedom fighters. The court martial trial convicted 22 officers altogether, none of whom was repatriated. All took an active and

leading part in the war of 1971. Nearly all the 12 officers who were hanged in September 1981 were active freedom fighters and at least five of them were decorated war heroes.

In all, 33 officers were accused in the trial, but none among them was a repatriated officer. Even the repatriated officers who worked closely with Manzur were spared, even though the army's court of inquiry had found the involvement of some repatriated officers in the mutiny.

On completion of the trials, the white paper prepared by the army also put the blame on Gen Manzur for assembling so many freedom fighter officers in Chittagong and Parbatya