

# 16th amendment to constitution challenged

STAFF CORRESPONDENT

A Supreme Court lawyer has challenged the legality of the 16th constitutional amendment empowering parliament to remove SC judges on grounds of misbehaviour and incapacity.

In his writ petition filed with the High Court yesterday, Eunus Ali Akond said to become a parliamentarian, no specific academic qualification is determined in the constitution, but a lawyer or a lower court judge needs at least 10 years of job experience to become an SC judge.

Therefore, a lawmaker should not be empowered to determine the fate of an SC judge, who is academically more qualified than him [lawmaker], he claimed.

The judiciary is independent, and it cannot be controlled by any organ of the state as per the SC judgment in the judiciary separation case, Eunus added.

As the power to impeach an SC judge has been given to parliament through the recent amendment, the independence of the judiciary might be threatened, he mentioned in the petition.

Eunus appealed to the HC to direct the government to cancel the amendment to the charter and to restore the previous constitutional provision of the Supreme Judicial Council.

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Illegal and slow-moving battery-run three wheelers plying the narrow Dhaka-Tangail highway that deals with heavy traffic throughout the year as the road connects the northern part of the country to the capital.

PHOTO: STAR

MONEY LAUNDERING

## Charges against Mosharraf accepted

COURT CORRESPONDENT

A Dhaka court yesterday took cognisance of charge against former health and family welfare minister Khandaker Mosharraf Hossain in a case filed for laundering over Tk 9.53 crore to the United Kingdom.

After scrutinising the case docket and other relevant documents, Judge Jahurul Haque of the Senior Special Judge's Court of Dhaka passed the order.

The court also fixed November 2 for hearing on charge framing against the BNP leader.

On August 13, Anti-Corruption Commission (ACC) Director Nasim Anwar pressed charge against Mosharraf, now in jail, for committing the offence.

The ACC on February 6 this year filed the case against Mosharraf with Ramna Police Station, stating that Mosharraf had amassed the amount by misusing his power during his stint as health minister from 2001 to 2006, and deposited it with a bank in the UK.

According to the case statement, a report of Financial Investigation Unit, Bailiwick of Guernsey, UK stated the money had been deposited in the bank account through money laundering.

## ACC probe 'fails' to identify culprit

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"They have asked me not to go to court, saying it would take long to settle the issue through a legal battle. They also assured me that they would help settle the matter outside court as soon as possible," he said.

ACC Chairman Badiuzzaman told this correspondent, "We have found some bankers' involvement in the scam. But we have put the process of filing a case on hold following a request from Khalilur. He told us that he was trying to settle the matter with the help of some influential people."

Asked whether the ACC should allow a complainant to settle such a matter of bank cheque forgery outside court, Badiuzzaman said if a complainant is not interested in legal battle, the ACC could hardly prove such a case before court.

The probe team collected copies of around 300 cheques used for stealing the money from Khalilur's account between October and November 2008, said a commission official seeking anonymity.

It found that bank's four officials -- Assistant Vice President Zahid

Chowdhury, the then manager of Bangshal branch Shamsuddin Chowdhury, officer Ashraful Azam and the then official Moniruzzaman -- approved the cheques with forged signatures.

Another top ACC official told this correspondent that they were yet to identify who drew the money with the forged cheques.

"Once the case is filed, we will ask the bank authorities to provide us with footages recorded on their CCTV cameras during the transactions."

The investigators would then be able to find out who had drawn the money. "Apart from this, we will also be able to seize all the cheques with forged signatures," said the ACC official.

On request from Khalilur, Bangladesh Bank last year launched an investigation into the alleged embezzlement and found that Premier Bank disbursed the money though the account holder's signature and those on the cheques didn't match.

Khalilur and Haroon, who are from the same area in Jhalakathi, know each

other for 25 years.

Khalilur, also joint secretary general of Jatiya Party (Manju), said he was a partner in construction business with Haroon and his brother Mojibul Haque Kamal for 12 years. But they didn't have any written agreements.

Documents show that construction firm Rumi Enterprise, owned by Khalilur, got a Tk 203 crore work order for building 15,000 houses in Sidr affected areas in southern Bangladesh in June 2008. The project was funded by the Saudi government.

In July, Khalilur opened an account with Bangshal branch of Premier Bank to make transactions for the project. He received Tk 203.06 crore from the Saudi government through seven cheques.

Khalilur withdrew Tk 69.11 crore from the account, and kept the remaining Tk 133.95 crore deposited in his account.

When he asked bank's then Bangshal branch manager Shamsuddin Chowdhury in December to adjust his Tk 4.5 crore loans at bank's Gulshan branch, Shamsuddin told him that his account had been closed and no money was there.

## World losing ground against Ebola

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on the crisis at the United Nations.

"We either stop Ebola now or we face an entirely unprecedented situation for which we do not have a plan," Banbury stressed.

He said that with infection rates rising exponentially every day, UNMEER will need 7,000 beds for treatment.

But to push back the spread "we must defeat Ebola and we must do it fast," he said.

Meanwhile, a second health worker in Texas has tested positive for Ebola, US officials said yesterday.

Like the first, the second infection on US soil concerned a caregiver for a Liberian Ebola patient who died at a Dallas hospital earlier this month.

WHO assistant director general Bruce Aylward, describing his figures as a working forecast, said the epidemic "could reach 5,000 to 10,000 cases per week by the first week of

December."

The latest death toll is 4,447, from 8,914 recorded infection cases, Aylward said as the worst-ever Ebola outbreak spirals in the three hardest-hit countries of Liberia, Sierra Leone and Guinea.

The WHO has called current Ebola outbreak the most severe in modern times.

Governments in west Africa have been scrambling to contain the epidemic, with patients in the Liberian capital describing devastating scenes as patients struggled to survive during a strike by health workers.

A 56-year-old Sudanese doctor who had worked as a UN volunteer in Liberia died of Ebola late Monday after arriving in Germany last week for treatment.

Outside west Africa, medical staff have also been particularly at risk during the crisis, with at least two cases of contamination reported despite stringent safety

protocols.

Spanish nurse Teresa Romero, 44, is thought to have caught Ebola while treating an elderly missionary who was infected in Sierra Leone and died on September 25.

Liberian health workers late Tuesday ended a two-day strike to secure risk pay for Ebola, saying they put the needs of their endangered country first following global appeals to end the protest.

In the US, Facebook co-founder Mark Zuckerberg announced a \$25 million donation to the US Centres for Disease Control Foundation to help efforts to contain the epidemic.

British troops began loading a ship that will set sail for Sierra Leone this week to help in efforts to contain the outbreak.

Amid the scramble to stop the disease spreading, Africa Cup of Nations' hosts Morocco saying Tuesday they were weighing whether to cancel the continental showcase.

LAW AND ORDER SLIDE

## Bhashantek OC transferred

STAFF CORRESPONDENT

Dhaka Metropolitan Police yesterday transferred the officer-in-charge of Bhashantek Police Station.

Nisarul Arif, deputy commissioner (Mirpur division) of DMP, said OC Hosne Ara Begum has been transferred in "public interest". However, police sources said her transfer was made in the wake of the deteriorating law and order in the area.

Hosne Ara has been appointed to the Victim Support Centre at Tejgaon, said Kamal Hossain, assistant commissioner (Pallabi zone) of DMP.

Meanwhile, Inspector Abul Kalam Azad of Kadamtoli Police Station has replaced Hosne Ara.

The decision was made two days after the closure of Muhammad Golam Nabi Sheikh, officer-in-charge (investigation), of the police station and the suspension of all the 19 members of Pashchim Bhashantek Police Outpost over allegations of keeping warm relations with local goons.

On Friday night, a gang led by local thug Mamun allegedly beat and hacked Nasir Hossain in the area. He died at Dhaka Medical College Hospital two hours later.

According to the case filed by the victim's brother Mosharraf, Nasir was killed for protesting the stalking of his cousin.

Detectives arrested one of the accused Sharif alias Chokka from Tangail on Tuesday.

Locals alleged that Mamun and his accomplices have been involved in different criminal activities such as extortion, drug paddling and mugging for several months while police failed to stop them.

In February, Mamun and his gang physically and sexually tortured 11 members of a family, including a pregnant woman in Bhashantek slum area.

Mamun went into hiding after a case was filed in this connection but returned to the area a month ago and resumes his illegal trade, locals said.

## Vow of a survivor

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village in Joldhaka upazila of Nilphamari. Despite his ill-health, he works on his own field to provide for his wife and seven children -- four daughters and three sons.

"My brothers are all very young. Except our eldest sister, all the siblings are schoolgoers," said Shirin.

When she heard about the marriage proposal, she recalled the lessons she had learnt at a children's group that receives training from Plan Bangladesh, a non-government organisation, and its associate bodies about child rights.

"I joined the group when I was in class V. My friends were part of the group and they encouraged me to join it."

Shirin first tried to convince her parents by telling them how the marriage would affect her education and health.

"But they instead asked what I would gain by studying," she said. Even her mother brushed aside the health implications of child marriage.

Faced with such resistance, Shirin sought help from her children group. When they too failed to convince her parents, she sought help of the influential people of the village, her teachers and local staff of Plan Bangladesh. This time, it worked.

"Together, they were able to persuade my parents to call off the marriage."

But the marriage pressure remained in place till her Junior School Certificate (JSC) examination she took two years ago.

"I was so upset that I could not study properly for my JSC exams," Shirin said. "So I told my cousin that if he really wanted to marry me, he would have to wait for 10 years, that is, till I finish my education."

To Shirin's relief, the cousin finally backed off and she devoted herself in studying hard and realising her dream of becoming an engineer.

Driven by this success, Shirin along with her group of 40 children is now working to prevent child marriage in her union consisting of

nine villages. "So far we have been able to prevent 10 child marriages," she said, adding that their advocacy programme had made many parents aware of the ills of such marriage.

"However, there are some people who change the information in the birth registration form to overstate a girl's age," she said. "Then there are some parents who initially listen to us but later go to other distant villages and secretly marry off their daughters."

According to Shirin, the main cause of child marriage in their area is poverty. "Parents with three to four daughters also are prone to this practice... Besides, there is a misconception in the village that the groom's side would ask for more dowry if the girl is older and educated."

Lack of awareness among people often makes Shirin and her group's work difficult. She recounted an incident in which they were almost attacked with sticks when they went to talk to a girl's family about the ills of child marriage.

"Sometimes, our own family, village elders and even the state represented by upazila chairman and union members discourage us from doing our work," said Shirin, adding that they try to prevent only the marriages against the girls' consent.

However, Shirin's struggle and work is now seen with respect by her family after she was invited to speak at the Spanish Congress last week on the occasion of the International Day of the Girl Child 2014 observed on October 11.

The week-long visit has rekindled her spirits. She now speaks with conviction against the government move to lower the legitimate age for marriage of girls from 18 to 16. "Now people show 15 and 16-year-olds as 18. If the marriageable age is changed to 16, they will try to marry off 13-14 year olds," she argued.

"Such a step would deprive hundreds of Shirins like me from a better education and life," she observed.

## BGB man shot on Myanmar border

OUR CORRESPONDENT, Cox's Bazar

A member of Border Guard Bangladesh (BGB) was shot near the Myanmar frontier in Teknaf upazila last night.

A bullet hit Sumon, 30, when unidentified people opened fire on a BGB team patrolling along the Naf river at Jagimura village around 9:45pm, BGB officials said.

The BGB retaliated by firing 25 bullets, said Lt Col Abu Jar Al Jahid, commanding officer of 42 BGB Battalion.

"It couldn't be identified who fired the bullets on our team. But we've beefed up security on the frontier," he said.

Sumon was admitted to Cox's Bazar Sadar Hospital and his condition was stable, Jahid added.

## Convicted BDR mutineer dies of brain tumour

STAFF CORRESPONDENT

A convicted mutineer of erstwhile Bangladesh Rifles, now Border Guard Bangladesh, died at Dhaka Medical College Hospital yesterday.

The dead, Subedar Abdus Sobhan, 63, was a resident of Uttar Kachhipara village in Patuakhali's Baufal upazila.

Sobhan was diagnosed with a brain tumour. He was taken to the hospital from Dhaka Central Jail on Sunday after his condition deteriorated and died around 3:20am there, said his son Miraj Hawlader.

He was awarded a four-year jail term as his involvement was found in the BDR mutiny in 2009, said Miraj, adding that, his father was scheduled to be released after seven months.

Sobhan would be buried at his ancestral graveyard in Baufal, he added.

ZUBAIR MURDER

## Kadir on 2-day fresh remand

STAFF CORRESPONDENT

Algerian national Abuubaida Kadir was placed on a two-day fresh remand yesterday in connection with the murder of an O-level candidate.

After the end of seven-day remands in two phases, detectives produced him before a Dhaka court seeking remand for another seven days.

He was taken to remand for further interrogation on the killing, said

Senior Assistant Commissioner SM Nazmul Haque of the Detective Branch (north) of Dhaka Metropolitan Police.

And on the first day of the third phase remand, Kadir said he had come to India in 2000 and after living there for a year, he entered Bangladesh as a tourist, said Nazmul.

The body of Zubair Ahmed, 16, was recovered by divers of firefighting units

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## Irregular students rule

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Chhatra Dal, face a number of cases which they termed politically motivated.

JCD insiders said there are at least 30 married leaders and 40 businessmen in the new committee which was approved by BNP Chairperson Khaleda Zia on Tuesday night.

Some JCD leaders complained that a few leaders of the new committee had been involved with Islami Chhatra Shibir.

Talking to The Daily Star, JCD General Secretary Akramul Hasan said it is less important that the central committee must have regular students. The JCD picks regular students for new university and college unit committees, he added.

On married members in the new committee, he said the JCD constitution does not bar inclusion of married students in the central committee.

Akram, who is pursuing an MPhil degree after completing BBA, MBA in accounting and another master's degree in Health Economics at Dhaka University, said young leaders dominate the new JCD committee.

Former JCD president Azizul Bari Helal said the new committee is a much better one in recent times and hoped it would perform well

under the leadership of Rajib and Akram.

Lack of regular students in the committee was not a problem, he added.

About violation of the JCD charter which stipulates that the central committee should be composed of 101 members, Helal said since BNP is an opposition party, it needs to accommodate more people in the party and its associated organisations.

**PROTEST AGAINST NEW COMMITTEE**

Some JCD leaders and activists last night staged demonstration in front of the Gulshan office of BNP Chairperson Khaleda Zia protesting the formation of the JCD central committee.

The new committee members were visiting the BNP chief at the office when the protest was staged, said Chhatra Dal sources.

Earlier in the afternoon, agitating JCD men brought out a procession in front of the Nayapaltan headquarters of the BNP.

Terming the new committee incompetent, they chanted slogans against the new JCD leadership. A few cocktails went off in the area during the protest.

Police picked up three protesters from the area.