

LEGALITY OF NIKO GRAFT CASE

HC verdict today on Khaleda's plea

STAFF CORRESPONDENT

The High Court will decide today whether the trial proceedings of Niko corruption case against BNP Chairperson Khaleda Zia will continue at the lower court.

The bench of Justice Md Nuruzzaman and Justice Zafar Ahmed yesterday fixed today for announcing the verdict.

On May 28, the court had concluded its hearing on a writ petition filed by Khaleda challenging the legality of filing the case.

Meanwhile, the HC yesterday concluded its hearing on two separate writ petitions filed by the BNP chief challenging the legality of trial proceedings of Gatco corruption case.

The bench of Justice Md Nuruzzaman and Justice Abdur Rob kept the petitions on CAV [Curia Advisari Vult, a Latin legal term meaning verdict could be delivered any-time].

Following the petitions filed by Khaleda, the HC in 2008 stayed the proceedings of the two graft cases.

It also issued separate rules upon the Anti Corruption Commission and

the government to explain why the initiations and proceedings of the cases against Khaleda should not be declared illegal.

The ACC filed the Niko graft case with Tejgaon Police Station on December 9, 2007.

It accused Khaleda and several others of abusing power while she was the prime minister to award a gas exploration and extraction deal to the Canadian company.

Former law minister Moudud Ahmed, former state minister for energy AKM Mosharrif Hossain, former acting energy secretary Khandaker Shahidul Islam and Kashem Sharif, vice-president (South Asia) of Niko Resources Bangladesh Ltd, were also sued in the case.

The anti-graft watchdog filed the Gatco graft case against the BNP chief, Jamaat-e-Islami leader Matiur Rahman Nizami, and 11 others with Tejgaon Police Station in 2007 on charges of corruption in awarding Global Agro Trade (Pvt) Co Ltd (Gatco) a contract for container management at inland container depots in Dhaka and Chittagong.

The graft caused the state exchequer a loss of over Tk 1,000 crore.

FINANCIAL SCAMS

JSD lawmaker slams govt over inaction

STAFF CORRESPONDENT

Jatiya Samantantrik Dal MP Mayeen Uddin Khan Badal yesterday in parliament lambasted the government for not taking any action against those who embezzled thousands of crores of taka from different state-run financial banks including BASIC Bank.

Taking floor on a point of order after Finance Minister AMA Muhith placed a bill, Badal asked whether there is any way to stop such incidents of looting public money from state-owned banks.

Referring to BASIC Bank's former chairman Abdul Hye Bacchu, he said, "He was the one who masterminded the embezzlement of around Tk 3,000 crore from the bank but has got off scot-free. Does he stay in the sky? ... Does the law cannot touch him?"

But far from being brought to book, those looters remain very close to state power, Badal regretted.

"As a lawmaker I will say that it is very unfortunate for the society, for the state as well as for the government that those who are responsible for looting public money stay close to state power. This is not fair," he said.

The new budget has no meaning

when the finance minister, terming these looters "very powerful", said out of his grief that he won't be able to touch them, The JSD MP said.

Badal also asked how the government will get enough money if crores of taka are being drained from the state-run banks in this way.

He also said it is an easy way to make a fortune by taking thousands of crores of money from banks as loan and loot that money afterwards.

"It is easy to take a huge amount of money as loan from banks by showing some assets exaggerating its real value. After some years, banks write off these loans and those who looted the money become traceless," added Badal.

The Awami League-led ruling alliance MP said the government applies "strange process of maintaining silence" to deal with those incidents of embezzlement when newspapers write about them, thinking people would forget everything. "But such incidents come to surface again, he added.

Seeking the Speaker's ruling to this end, the JSD MP said, "Somehow we have to stop it. These people are criminals. They are sucking people's

Logjam in courts

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recommendations. The recruitments are done by Bangladesh Judicial Service Commission which, according to sources, has employed 930 assistant judges and judicial magistrates since it was reconstituted in 2007.

According to Supreme Court sources, the total number of cases pending with different courts was 30,07,860 till December 31 last year.

Of these, 26,31,476 were with the

government is soon going to recruit 60 assistant judges and judicial magistrates for the lower courts, sources said.

The posts of other judges are filled through promotions, and therefore, it's not possible to fill those right away, they said.

However, LC Chairman Justice Khairul Haque, a former chief justice, also suggested in his letter that "competent, honest and qualified officials" from the retired judges can be recruited

CASE DISPOSAL				
COURT	2014	2013	2012	2011
Appellate Division	5,911	5,035	2,905	1,359
High Court	22,477	24,286	64,483	68,912
Lower courts	12,76,156	10,89,972	9,88,651	8,79,105

lower courts; 3,61,038 with the High Court and 15,346 with the Appellate Division.

However, the number of judges for dealing with such a whopping number of cases is scarily low.

The Appellate Division at the moment has only seven judges and the HC has 97 while around 1,100 judges are actively serving at the lower courts, Registrar General Syed Aminul Islam of the Supreme Court told The Daily Star last night.

There are over 1,600 posts for lower court judges now and 399 of these are vacant. Besides, around 100 judicial officials, who are actually judges, are working for different ministries and departments of the government on deputation, he said.

Of the vacant posts, 263 are for senior assistant judges, 89 for joint district judges, 30 for additional district judges and 17 for district judges.

The situation is likely to get worse as another 193 posts for lower court judges will fall vacant in the next few months, according to sources in the law ministry and the SC.

Under these circumstances, the

in the vacant senior positions as an "interim solution" to the case logjam.

In the SC, four posts of Appellate Division judges lie vacant at the moment.

Law Minister Anisul Huq, who is currently abroad, had told this correspondent in April that some new judges from the HC Division of the Supreme Court would be appointed to the Appellate Division any time soon.

As for the HC, there's no definite number of judges. The president can appoint any number of judges based on the recommendations by the chief justice.

The law commission chief, in his letter, also requested for allocation in the budget for construction of a building of the commission's own.

The LC offices are housed in only seven rooms on three floors of the Judicial Administrative Training Institute on College Road in Dhaka, which makes the commission's operations difficult, Justice Khairul Haque wrote.

"The Law Commission is a nationally important institution; it needs an address and an establishment of its own," an LC press release quoted him



Alleged pro-ruling party BCL men attack activists of Progressive Students' Alliance (Pragatisheel Chhatra Jote) in front of Tolaram college in Narayanganj yesterday after the alliance brought out a protest procession against the "admission trade" allegedly carried out by Chhatra League men. PHOTO: COLLECTED

People defy Jamaat hartal

STAFF CORRESPONDENT

Life was almost normal yesterday despite a hartal called by the Jamaat-e-Islami protesting the Supreme Court judgment that upheld the death penalty of party leader Ali Ahsan Mohammad Mojaheed for war crimes he had committed in 1971.

There was no report of picketing or clashes during the shutdown across the country. Activists of the party were not seen on streets.

Movement of buses and private vehicles was normal in the capital. However, some bus owners did not operate their long distance buses from Dhaka to various districts.

According to reports from our correspondents in Chittagong, Rajshahi and other districts, there was no picketing on streets during the shutdown.

In Satkhira, police detained 84 people, including 30 Jamaat men, on Tuesday night ahead of the 24-hour hartal that ended at 6:00am today.

Nine human traffickers held

OUR CORRESPONDENT, Cox's Bazar

Police have arrested nine "listed human traffickers" at Teknaf upazila during its ongoing drive against human traffickers in the district.

Acting on a tip-off, two police teams separately raided Shah Parir Dwp and Shamlapur yesterday morning and nabbed two "human traffickers", Ataur Rahman Khandaker, officer-in-charge of Teknaf Police Station, told The Daily Star.

The arrestees are Mohammad Selim, son of Kala Mia of Shah Parir Dwp, and Khalil Prakash Putia, son of Rashid Ahmed of Shamlapur.

In another drive on Tuesday, the law enforcers caught seven alleged human traffickers from Shah Parir Dwp.

They are Shahidul Islam, Zafar Alam, Nazir Ahmed, Zahir Ahmed, Bodi Alam, Farid Alam and Zafar.

ANANTA MURDER

Photojournalist denied bail

OUR CORRESPONDENT, Moultribazar

A Sylhet court yesterday rejected a bail petition of photojournalist Idris Ali in blogger Ananta Bijoy Das murder case.

Metropolitan Magistrate Farhana Yasmin also fixed June 23 for the next hearing, said Idris's lawyer Abdul Gaffar.

On Monday, the same court sent Idris to jail after he was produced before it on completion of his seven-day remand.

The 30-year-old is a photojournalist of a local daily, the Sobuj Sylhet. Mirza Abdullahil Baqui, special superintendent of the Criminal Investigation Department (CID) in Dhaka, had said the investigation officer (IO) of the case did not seek any fresh demand for the arrestee that day.

On May 12, Ananta was hacked to death in Sylhet town. The next day, Ananta's brother Ratsawar Das filed the case with Sylhet Biman Bandar Police Station, accusing four unknown assailants of the murder.

Political enmity beyond borders

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Tying strips of black cloth around their heads, they took to the streets and chanted slogans against Hasina, the ruling Awami League chief. On Monday, they went as far as giving chase to the leaders and supporters AL's UK chapter.

Their agitation programmes, of course, were not for honouring Hasina. They rather demonstrated a lack of respect for their country's prime minister. Their agitation also makes a mockery of the iftar invitation Khaleda sent to Hasina.

What the BNP men have done in London is a reflection on the pervasive confrontational culture in Bangladesh's politics, which has gradually morphed into enmity between the two rivals crossing geographical boundaries.

This domestic hostility, when transplanted on foreign soil, has in no way brightened the image of the BNP men of UK chapter, let alone the country's image.

The AL men in London are no angels either. They also are guilty of the same odious tricks abroad.

Take the example of Khaleda Zia's visit to London in May 2011. While her party men went to the Heathrow airport there to receive her, AL men gathered at the place to stage a demonstration against her. Under the banner of AL's UK unit, they carried black flags and placards with various slogans against Khaleda and the BNP.

At one stage, the leaders and supporters of AL scuffled with BNP supporters in front of the Heathrow International Airport. The police then detained two BNP men on charge of creating chaos there.

There are many more incidents of such clashes between AL and BNP men in the UK and the USA. Takesome incidents in recent years.

On Sept 20, 2010 activists of the AL

and the BNP clashed at JFK airport in New York when Hasina had gone to the USA to attend the United Nations General Assembly.

Several hundred activists of AL and its front organisations in the USA thronged at the airport to welcome her. But BNP men too gathered there to protest Hasina's arrival.

After the clash an officer of New York Police termed it "shameful."

A clash between AL and BNP supporters on July 16, 2010 forced the organisers to hastily cancel a conference on "Human rights, democracy and role of political parties in Bangladesh" at the prestigious London School of Economics.

In 2015, AL and BNP men engaged in scuffles over placing floral wreaths at the Shaheed Minar on the Independence Day at Altab Park in East London.

They also engaged in clash at the same place in December 2014 as they enforced programmes to counter each other over some derogatory remarks against Bangabandhu made by BNP senior vice-president Tarique Rahman. At least five people were injured in the clash.

Even the parties' internal conflicts do not go unnoticed. For example, AL supporters in the USA dashed among themselves at a function marking Bangladesh's Victory Day.

Each of those incidents was unfortunate and shameful that undoubtedly tarnished the country's image. Such incidents have taken place for years now in different countries.

Both the AL and the BNP must bear the responsibility of tamishing the country's image by planting their enmity abroad through their foreign wings.

And they are maintaining their foreign wings flouting the electoral law.

In efforts to prevent the battling political parties from taking their hostility to foreign lands, the Election Commission, led by AIM Shamsul

Huda, had brought some changes in the laws in 2008 on the registration of political parties.

According to the law, a party willing to get registered with the EC can not have any provision in its charter for establishment or operation of any office, branch or committee outside the territory of Bangladesh.

At that time, the AL and the BNP were compelled to amend their constitutions to repeal the provision dealing in details with maintaining the parties' foreign units and their status. They deleted the provisions for the sake of securing registration, which was a precondition for contesting the parliamentary election.

But later, they changed their stances. Both have later introduced new provisions in their respective charters allowing party supporters living abroad to form units of the party in the countries they live in.

For violation of this provision, registration of a political party may be cancelled. But the EC remains silent about it, allowing the parties a free rein in operating their units in many countries including the UK and the USA.

Maintaining the foreign branches provides huge benefits to the high commands of both the parties.

Whenever they visit any country, leaders and supporters there host the party's central leaders. They also lobby with the central leaders to get posts in the local committees abroad. Allegations of money for posts in the committees are common. These unholy practices explain to some extent the parties' interests in maintaining their foreign branches.

It is difficult to find any major political party in any other country in the world that has wings in foreign countries.

But it is possible for Bangladesh's political parties - the AL and the BNP - as everything is possible for them in a

Mango delight

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during law enforcers' drives last year and this year the government conducted an awareness campaign.

Some positive changes were noticed during The Daily Star correspondents' visit to Rajshahi Sadar upazila and Chapainawabganj Sadar, Kansat and Shibganj upazilas in the last week of May. While many farmers in those areas seemed aware of the harmful effect of chemicals on human health, some of them turned to organic farming.

Most importantly, growers there followed the agro department's instruction not to harvest immature mangoes.

Bangladesh Agricultural Research Institute (BARI) officials said they hardly found any traces of ripening agents like ethopen or calcium carbide in mangoes.

"Generally in our lab tests we don't find signs of pesticides in ripe mangoes but we find ripening agents. But this year, we hardly got any with calcium carbide," said Nurul Alam, chief scientific officer of BARI.

And even if there were signs of ripening agents, they were within the permissible limit, Alam told The Daily Star over the telephone.

The test samples were randomly collected from markets in the two districts.

Agricultural officials in Chapainawabganj, the largest mango-producing district in Bangladesh, said the success was because of the govern-

ment's initiatives to reduce the use of chemicals in mangoes, following extensive media reports on it over the last few years.

The district administration asked mango growers not to harvest commercially important mango varieties like Khirsapat, Himsagor, and Lengra before June 1.

"This directive was issued so that the growers do not harvest mangoes too early and use ripening hormones," said Shorof Uddin, senior scientific officer of the regional horticulture research station.

The directive has, however, affected growers in a different way.

"We are not getting good prices for our mangoes as the numbers of buyers have dropped this year," said Sukumar Saha, a grower from Mistripara of Chapainawabganj.

Abdus Samad, a mango farmer of Mathpara, said all growers have showed up in the market at the same time because of the embargo on harvest.

On an average, farmers were getting between Tk 2,200 and Tk 2,400 for 37.5 kilograms (a maund) of mangoes.

Shorof Uddin said this year production of mangoes was very good. "Besides, the high temperature [which causes mangoes to ripen early] is another reason for increased supply and for farmers not getting good prices," he said.

At least 15 percent of the country's total mangoes come from

Chapainawabganj. According to the Department of Agricultural Extension statistics of 2012, there were over 18 lakh mango trees on 23,280 hectares of land in the district. Most of the trees are of commercially important varieties like Khirsapat and Lengra.

There were only 12 lakh mango trees on 15,753 hectares of land in Chapainawabganj in 2002.

Mango is an important cash crop on which the livelihoods of many depend on.

The growers said they start taking care of the trees from November-December and continue until July.

Normally, they spray pesticides on mangoes for up to 30 times to protect them from pest attacks and various other chemicals to make them look fresh. Excessive use of insecticides has had an adverse impact on birds in some areas.

Locals in the two districts claimed many bird species have disappeared in the past several years.

To address the problem, the government has introduced a kind of organic bag for fruits, especially mangoes. Mangoes are covered by these bags in trees to prevent pest attacks.

This year, the government has imported about 1.5 lakh bags from China and distributed those among farmers in eight districts. Each bag costs Tk 5 and can cover a cluster of mangoes.

Some growers have started using them.