

# 7 arrested for assault on schoolkids

OUR CORRESPONDENT, Chandpur

Seven people were arrested in Chandpur yesterday in connection with the assault on 40 students of Bhuiyara High School in the district's Kachua upazila allegedly by Jubo League activists.

The arrestees are Liton, 35, joint secretary of ward Awami League, Monir, 30, Jubo league activist, Mojamal Haque, 22, a student of Palakhal Degree College, Alauddin, 32, Md Sabuj, 19, a labourer, Azi Ullah, 32, and Poppy Akther, 15, a class-10 student of the school.

Shamsunahar, superintendent of police in Chandpur, said Monir and Liton were arrested while they were trying to flee to Dhaka by a launch in the afternoon.

Dulal Chandra Sarker, headmaster of the school, filed a case mentioning the names of eight people, including Monir and Liton. He also accused 20 unidentified attackers in the case, said Kachua Police Station Officer-in-Charge Ibrahim Khalil.

Drivers were on to arrest the perpetrators, the OC added.

On Sunday, at least 40 schoolchildren were injured in an attack by

alleged Jubo League activists. Twenty-two of the injured -- 14 girls and 8 boys -- were admitted to Kachua Upazila Health Complex.

Headmaster Dulal said the attack was carried out after the school authorities on Friday night refused to pay Tk 15,000 "donation" to some Jubo League men who wanted the money to arrange events for the National Mourning Day.

He alleged that the Jubo League men, including Faruq, Monir and Liton, also beat up Fazlur Rahman, an assistant teacher, inside the school that night.

Protesting the incident, students gathered on the school playground on Sunday morning and tried to bring out a procession.

Suddenly some Jubo League men swooped on the children with sharp weapons and sticks, said the headmaster.

The ruling Awami League's youth front, however, denied its involvement in the incidents.

Meanwhile, Ain O Salish Kendra yesterday in a press release strongly condemned the attack on schoolchildren. Expressing deep concern, the rights body also urged the government to take legal action against the culprits.



A fish trap at a point on the Chhoto Jamuna River in Parbatipur upazila of Dinajpur. Such traps, using bamboos and banned current nets, have been put up at other points on the river to make sure that even fish fry cannot escape. Because of this illegal practice, most of the fry, released by the fisheries department all year round, don't get the chance to survive.

PHOTO: KONGKON KARMAKER

# 6 jailed for 20 years

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separate cases take effect separately as per the Jail Code.

"It means each of them will serve a total of 20 years in jail as they have been convicted in two cases and each of their fines will stand at Tk 4 lakh," he said, explaining.

Shahjahan Sarkar, one of the BCI directors and the only accused attending the trial, was sent to jail right away. The others have been absconding since the resumption of the trial.

The verdict said punishment of the others will take effect from the day of their arrest or surrender to the court.

The others are Shamsul Haque, director; Nurun Nahar, director; ASM Badruddoza Chowdhury, executive director; Ayesha Khutun, quality manager; and Entazul Haque, production manager.

This is the second verdict in cases filed for adulteration of drugs. The first such verdict was delivered on July 22, 2014. The judgments are regarded milestones in ensuring quality drugs in the country's booming pharmaceutical industry.

Judge Abdur Rashid, who delivered the first verdict, found the highest punishment not "tougher" under the Drug (Control) Ordinance, 1982.

He sentenced an owner and two employees of Adflame Pharmaceuticals to 10 years in jail and fined Tk 2 lakh each in a case for the company's use of the same poisonous substance, Di-Ethylene Glycol, in its paracetamol brand Flammadol.

After last year's verdict, Law Commission initiated a probe to find out what took the cases over two decades to be resolved.

The probe body, headed by Justice Khairul Haque, found legal "manipulation" and sheer "indifference" by the DGDA, the country's drug regulatory body.

BCI is one of the five companies that used Di-Ethylene Glycol in their respective brands of paracetamol, prompting the DGDA to file cases against four of them in 1992. The companies are BCI, Adflame Pharmaceuticals, Polychem Laboratories and Rex Pharma, court sources said.

One of the companies was never sued as it had ties allegedly with the then BNP government, they said.

However, trial proceedings against all the four were stayed in 1994 following a High Court order. After an investigative report by The

Daily Star in November 2009 revealed "corruption" among government agencies to save the accused in the cases, trial of three companies resumed immediately.

But trial of the BCI case could not be resumed until August 2011 as Abul Khair Chowdhury, a director of the DGDA and also plaintiff of the cases, disregarded the court's orders to testify in the cases for another two years.

Trial proceedings of the case against Polychem Laboratories are underway.

The accused in the case against Rex Pharma, filed with a Mymensingh Drug Court, were acquitted thanks to the prosecution's reluctance to produce relevant documents before the court.

Today's court proceedings

Accompanied by a couple of men, Shahjahan Sarkar appeared in the court room in a white punjabi. He has been on bail since 1994.

At 11:27am, the judge took his seat.

Shahjahan was called to the dock thereafter.

"He is a very famous spiritual figure in his area," said Shahidul Alam, identifying himself first as Shahjahan's brother and then as his cousin.

According to Shahidul, Shahjahan was not married, owns a house in the capital's Jigatola and his astana is in Motlob's Saduillapur village.

After the verdict was read out, Shahjahan got off the dock and took his seat again. Then he was seen wiping beads of sweat from his forehead.

Carrying handcuffs, two young policemen stood by his seat. He whispered something to the ears of the policemen and then, surrounded by his disciples, he left the court room at 11:45am.

Reaction of two victims' mother

This newspaper met Mukul Begum, 45, in a Mirpur Paikpara Govt staff quarter in the evening of August 10. She had lost her 13-month-old daughter and six-year-old son in the span of six months in 1988. Both the children had taken the toxic paracetamol syrup.

"I'd love to hear the judge ordering the perpetrators to walk the gallows," said Mukul.

Still, while talking to a correspondent of this newspaper, Mukul could not help crying in joy as the perpetrators were meted out 20 years of imprisonment.

# Laws too weak to protect people

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imprisonment or be fined Tk 2 lakh or both, says the ordinance.

"This is the weakness of the law," a former judge, having experience in dealing with cases regarding the manufacture of drugs, told The Daily Star on Wednesday.

The law should be amended incorporating provisions of adequate punishment for such offences," he added.

Like Tanvir, at least 75 other children died after they were given the syrup, according to cases the government filed against four drug manufacturing companies in 1992. But the number of deaths from the poisonous medicine was put at 2,700 by a study of Bangabandhu Sheikh Mujib Medical University.

Yesterday, six owners and employees of one of the four companies, BCI (Bangladesh) Ltd, was handed 10 years' imprisonment.

The victims' families cried loud to draw the authority's attention to the existing laws, labelling the punishment lenient. They felt 10 years imprisonment was way too little for such a crime.

In the first-ever instance of conviction for drug adulteration in

Bangladesh, a Dhaka Drug Court in July 2014 awarded 10 years' rigorous imprisonment to an owner and two officials of Adflame Pharmaceuticals, one of the four companies.

Observing that the drug ordinance did not provide for tougher sentences, the judge of the drug court in 2014, while delivering the verdict, said, "The accused have committed a heinous crime against the society, children and humanity as well ... they deserved the highest punishment."

In addition to the existing Drug Act-1940, the government had enacted the Drugs (Control) Ordinance, 1982, to control the manufacture, imports, distribution and sales of the drugs. The Drug Act-1940 of the British era has the same punishment.

But both the laws are silent regarding deaths or any physical harm caused by adulterated or spurious drug, said a former sessions and district judge.

Anwar Zahid Bhuiyan, a former public prosecutor of a drug court, also sees the existing ordinance insufficient in terms of bringing to

book people involved in adulterated drugs.

He saw no bar to amending the law with the provision of capital punishment.

"If the acid [crime control] act consists of capital punishment then why this [Drugs (control)] ordinance will not include such punishment?" he asked.

However, trial regarding the cases of adulteration of drugs can be held under the Special Powers Act-1974, which has the provision for the death penalty.

The drug administration, Directorate General of Drug Administration, which only can initiate legal proceeding against such crimes, tends to follow the drug ordinance in filing cases.

Ayub Hossain, assistant director of DGDA, told The Daily Star on Saturday that they could file cases only under the Drugs Act-1940 and Drugs (Control) Ordinance-1982.

But there were precedents of DGDA men filing separate cases under the ordinance and the Special Powers Act for the same offence, sources said.

In 1992, DGDA first filed cases against the owners and employees

of the four drug manufacturing companies under the ordinance. Then it filed cases against the companies under the Special Powers Act (SPP).

But the case filed under the SPA act was dismissed as the accused told the court that they were being tried twice for the same offence.

Bangladesh law does not allow a person to be prosecuted for the same offence twice.

Ayub, however, said, "As far as I know the cases under Special Powers Act were not filed by the DGDA."

When 28 children had died after they were given paracetamol syrup in 2010, the DGDA filed a case against Rid Pharma for producing the toxic syrup under the ordinance. It did not file the case under Special Powers Act.

The case is under trial.

Contacted, Law Minister Anisul Huq said they cannot change or amend a law unless a proposal is sent to his ministry.

"The proposal [for amending the law] has to come from the ministry concerned. I cannot change it myself," he told The Daily Star over the phone on Saturday.

# She served only 53 days

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1992, but the trial had been stayed for 14 years since 1994 following an HC order.

Neither the complainant, Directorate General of Drug Administration (DGDA), nor any other government offices, including the Attorney General's office, made any move in 14 years to vacate the stay.

An investigation by The Daily Star in 2009 revealed that even after the HC had spontaneously revoked its stay on the trial and sent the case documents to the drug court, a lower court clerk concealed the documents under piles of other case documents.

The trial in the case finally resumed that year and the verdict came 22 years after the opening of the trial.

Former Dhaka Drug Court Judge Abdur Rashid in his verdict said the accused committed "a heinous crime against the society, children and humanity as well."

At least 76 children were killed across the country in 1992 after taking toxic paracetamol syrup.

Deputy Attorney General Shaiful Basher Bhandary didn't see any point in appealing against the HC bail order. Asked about ensuring justice for the deaths of so many children, Shaiful last year said it was not a matter of concern for him, but for

journalists.

Attorney General Mahbubey Alam yesterday said he was never informed of the physician's bail. "Had I known about the bail, I would have immediately taken a move for challenging and cancelling the bail order."

Prosecutor Khurshid Alam Khan of the Anti-Corruption Commission said the state must ensure that Helena's petition was disposed of by the HC soon and she got punished for her offence. "It's the only way to deal with the issue."

Helena's brother Mizanur Rahman, a manager of Adflame Pharmaceuticals, is also on bail in the case. The siblings had their bails renewed by the HC until disposal of their appeals pending with the court, their lawyer Khondker Bashir Ahmed told The Daily Star yesterday.

Victims' parents were frustrated by the uncertainty surrounding the trial.

A victim's mother questioned, "Didn't we tell you [this newspaper] a few years ago that laws are made to protect rich people?"

Seeking anonymity, she said nine children died from renal failure in her neighborhood alone after taking paracetamol syrup supplied by the government medicine shop to the grade-three staff quarter of

Bangabhaban.

Even after the trial resumed in 2009, complainant Abul Khair, a DGDA director, testified that he could hardly recall anything about the test.

During the 2009 investigation by this newspaper, he said he didn't know that trials in several cases were stayed in 1994. He ended up in jail for disregarding 18 summonses from the drug court to appear before it for testifying in two cases against six owners and staff of BCI (Bangladesh) Ltd.

In 1992, a laboratory test found that three other companies were also producing adulterated syrup. The test was carried out in a government laboratory under the supervision of a DGDA official and a representative of World Health Organization.

One of the companies, City Chemical, was never sued allegedly for its links with the then BNP government high-ups.

Another company Rex Pharma was acquitted of the charges in 2003 by a Mymensingh drug court as the prosecution didn't submit the laboratory test results to it. The complainant of the case, DGDA official Thomas K Bishwas, migrated to the USA after quitting job.

Attorney General Mahbubey Alam said he would challenge the Rex Pharma verdict in the HC, pro-

vided he was given details of the case.

The trial of the fourth pharmaceutical company, Polychem Laboratories, is underway in a drug court.

The Law Commission last year carried out a probe into the delay in trials and found that "sheer indifference by DGDA" caused the delay.

It made 16 recommendations to the government which include reforming the judiciary to "improve this intolerable legal crisis."

The government never opened an enquiry to bring to book those responsible for the crisis.

A study by Bangabandhu Sheikh Mujib Medical University said at least 2,700 children died after receiving the drug between 1982 and 1992.

Such deaths would have continued if a brave physician, Dr Hanif, had not tested samples of the syrup at a USA lab in 1992 and present the findings at a press conference.

A drug court yesterday sentenced Shahjahan Sarkar to imprisonment for 20 years and fined Tk 4 lakh in the BCI case. His nephew Sabir Ahmed Shobek was hopeful that his uncle would get bail from the HC within a month.

"We knew beforehand what could be the verdict. So we are ready to get him out of jail in a month," he

# Deadly Bangkok blast

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complain of cultural and religious persecution at the hands of the Beijing authorities.

The shrine is dedicated to the Hindu god Brahma, but is also visited by thousands of Buddhists each day. There are also three major shopping centres nearby.

The explosion was on the Ratchaprasong intersection, which has been the centre of political demonstrations in recent years.

**NO BANGLADESHI HURT**

The diplomatic correspondent of The Daily Star adds: No Bangladeshi expatriates or tourists were reported to have been killed or injured in the blast, according to the Bangladeshi embassy in Bangkok.

However, they have never targeted Bangkok before and casualties from their attacks have been falling.

National political turmoil has prompted some low-level bomb attacks by rival factions in the past -- but again, nothing on this scale. There also seem to be few, if any, links between Thai militants and groups like the so-called Islamic State.