



Stretches of inundated roads in the capital's Mouchak, Razarbagh, *top right*, and Malibagh, *bottom right*. People's sufferings know no bounds when these potholed stretches go under rain water.



PHOTO: ANISUR RAHMAN

## Jubo League leader stabbed to death

OUR CORRESPONDENT, Gazipur

A former upazila president of Jubo League, the youth front of the ruling Awami League, was stabbed to death allegedly by rivals in Kaliakoir of Gazipur yesterday evening.

Rafiqul Islam, 43, of Kaliakoir was attacked when he was sitting at a teashop beside Bangabandhu College around 6:00pm, locals said.

A group of men armed with iron rods, sticks and machetes swooped on Rafiqul, leaving him critically injured.

The attack was the result of an internal feud, said locals.

Doctors declared him dead when he was taken to Kaliakoir Upazila Health Complex.

Omar Faruk, officer-in-charge of Kaliakoir Police Station, confirmed the incident.

The attack took place during a meeting organised by Kaliakoir municipality Awami League to observe the National Mourning Day.

## Free speech vs section 57

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reader to become dishonest or corrupt, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the state or person or causes to hurt or may hurt religious belief or instigate against any person or organisation, then this activity will be regarded as an offence."

Contacted, eminent rights activist Sultana Kamal said section 57 is so vague that law enforcers can interpret it as they will to arrest anyone anytime.

She also said, "The act is contradictory with the constitution because section 57 robs us of our right to freedom of speech. So we want its repeal."

If the government wants to keep it, there should be rules of procedure specifying how the act would be applied. Until then, the law should not be enforced, she added.

On a similar note, former law minister Shafique Ahmed said as the min-

istry concerned, the ICT ministry, has yet to enact the rules of procedure, "there is a possibility that the law will be misused."

Shafique Ahmed, also an eminent lawyer of the Supreme Court, said, "In the absence of the rules of procedure, the law should be applied cautiously."

The law has been "wrongly applied" in the case of Probir Sikdar, he observed.

Jyotirmoy Barua, a Supreme Court lawyer, said the section speaks of damaging the "image of person and the state". But nowhere in the law, has "the image of the state" been defined.

Besides, depending on the social status, "image" might vary from person to person, he said, asking how the "image of a person" and the "image of the state" can come on an equal footing.

He further said it has not specified exactly what may tarnish the "image of the state or a person". Similarly, it doesn't say what would amount to

hurting one's religious belief.

The Indian Supreme Court in March this year struck down almost a similar section, terming it unconstitutional. The court observed section 66A of the Information Technology Act hit at the root of liberty and freedom of expression, two cardinal pillars of democracy.

Section 66A read: "Any person who sends by any means of a computer resource any information that is grossly offensive or has a menacing character; or any information which he knows to be false, but for the purpose of causing annoyance, inconvenience, danger, obstruction, insult shall be punishable with imprisonment for a term which may extend to three years and with fine."

The section had been widely misused by police in India to arrest innocent persons for posting critical comments about social and political issues and political leaders on social networking sites, according to media

reports.

The Indian Supreme Court said the section has to be erased from the law books as it has gone much beyond the reasonable restrictions put by the constitution on freedom of speech.

The Indian court added the section was vaguely worded and allowed its misuse by police.

"In the light of our constitution and judgment of the Indian Supreme Court, section 57 is unconstitutional and it must be repealed," Bangladesh Supreme Court lawyer Tanjib-ul Alam said.

"It also violates the rights enshrined in article 39 of our constitution."

Article 39 ensures "the right of every citizen to freedom of speech and expression". It also guarantees freedom of the press.

Tanjib also said section 57 has a chilling effect on people's right to freedom of expression. "Now people will think twice before writing anything on Facebook and always be fear-

ful that they might land in jail for their comments online," he added.

Another legal expert, Shahdeen Malik, said the arrest of Probir Sikdar is a "clear indication" how the law can be abused.

Referring to the Indian Supreme Court's verdict on section 66A, the eminent jurist said section 57 has to be scrapped.

The ICT law was enacted in 2006 by the then BNP-Jamaat government.

Before its 2013 amendment, maximum punishment for offences under the section was 10 years' imprisonment and a fine of Tk 1 crore, he said.

Besides, police had to seek permission from the authorities concerned to file a case and arrest any person under the law, he added.

After the amendment, the maximum jail term was raised to 14 years. And law enforcers were empowered to make arrest without a warrant.

Secretary General of Bangladesh

Federal Union of Journalists (BFUJ) Abdul Jalil Bhuyian said section 57 should be revoked as it is contradictory to people's fundamental rights.

He thinks it has been enacted for the protection of the rulers, not for people's welfare.

The journalist leader said even if the government had enacted the law with good intention, law enforcers will misuse it as in the case of Probir Sikdar.

Baki Billah, a blogger and former Chhatra Union leader, believes section 57 is meant to control opinions expressed in the social media. It goes against the basic principles of democracy.

Arif Jebtik, another blogger and online activist, said the section should be clarified properly. To fight against online crimes, there has to be a law but not anything like this.

Yesterday, Probir Sikdar at his residence told The Daily Star, "Section 57 is a barrier to free speech. It should be scrapped immediately."

## 11 years on, they still bear the pain

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The grenade attack killed 24 people, including the AL woman affairs secretary Ivy Rahman, and left more than 300 injured.

"It pains me so much. The doctors said those splinters cannot be removed. I have to bear these till my death," Farida said with a choked voice.

The ruling party organised a programme in front of its central office yesterday to commemorate those who were killed in the grisly attack. Family members of the dead and the injured attended the programme. The prime minister met the victims' families and the injured party men after addressing the rally.

Like Farida, Rashida Akhter Ruma too had attended the rally in perfect shape on that day in 2004. But yesterday she came as a physically disabled person. She still shudders while recalling the fateful day.

She thinks she has been leading a cursed life for the last 11 years with nearly 700 splinters still in her body. She will have to spend the rest of her life this way.

"I would have been saved had I died on that day [August 21]. Escaping death, I now taste the pain of death every moment," she said.

Ruma is now a councillor in the reserved seats for women in Dhaka South City Corporation.

Narrating the horrifying event, she



Khurshida Baby Nihar Ranjan

said that after the attack she was rushed to the Dhaka Medical College Hospital, and doctors had initially declared her dead as she was unconscious.

"Although I survived miraculously, my life will never be normal again as I have to bear the unbearable pain from the splinters till my death," said Ruma, women affairs secretary of ward-69 of Dhaka City AL Mahila League.

"When the pain from the splinters intensifies, I go almost mad," she said. Similar is the condition of Khurshida Baby Hena, another victim. She said her pain was inexpressible.

"I came with a procession from Mohammadpur to join the rally. An awful situation was prevailing in the country at that time, but I couldn't imagine such a dreadful situation was waiting for me that would make my life meaningless," Hena, member of Mahila League, Dhaka City unit, said.

She has been suffering from diabetes for long and due to this problem she could not get proper treatment that

required several operations.

"I lost my father, mother and husband ... I have none to take care of myself now. Only apa [Sheikh Hasina] looks after me," she said with an emotion-choked voice.

Nihar Ranjan Kar, AL chief Sheikh Hasina's personal security staff, was on duty on that day. He still holds that position, but cannot discharge his responsibility as his both legs were badly damaged with splinters.

After being treated from India, he can walk now, but with the help of a crutch.

"I survived the attack, but it left me to a painful life," said Nihar, a former army warrant officer.

## Khaleda asks govt to free party leaders

STAFF CORRESPONDENT

BNP Chairperson Khaleda Zia has called upon the government to deliver democracy by releasing opposition party leaders and allowing them to carry out their political programmes.

"I call upon the government to unshackle democracy by releasing opposition men, allowing them to carry out political programmes and showing respect to the fundamental human rights," said Khaleda through a statement signed yesterday by the party's spokesperson Asaduzzaman Ripon.

In the statement she demanded immediate release of 21 of her party men, including Khandaker Mosharraf Hossain, Abdus Salam Pintu, Lutfozzaman Babar, Amanullah Aman and Ruhul Kabir Rizvi.

She condemned the filing of "false cases" against BNP leaders and sending them to jail, terming such acts a "conspiracy" of the government to make the party leaderless.

"The oppression and undemocratic behaviour of the government has reached a level that people could not even breathe easily," she said.

Referring to her party's stand against terrorism, she reiterated that "the BNP neither do politics of terrorism nor patronize the terrorists."

"Everybody knows that BNP has waged a peaceful movement to restore democracy in the country. But the different agents of the government as well as the ruling party men committed many crimes during BNP's last movement and tried to pass the blame on the opposition men," said Khaleda.



Nazma Begum hands Suraiya over to her grandmother. The baby, who is less than one month old, was shot while in the womb.

PHOTO: STAR

## 'Shootout' on

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The next day, local AL lawmaker Fazle Noor Taposh said, "Arzu was a brilliant student. He was polite and innocent. But the Rab killed him without a trial."

In Magura, former Chhatra League leader Mehedi Hasan Ajibor, an accused of the shooting that left a pregnant woman and the baby in her womb shot on July 23, was killed in a "gun battle" with police on August 18.

In Kushtia, Jubo League leader Zakir Hossain, who was allegedly involved in party feud on August 15 that left one dead in the district, was killed in a "gunfight" with police on August 19.

Asked about the "crossfire", AL Joint General Secretary Mahbubul Alam Hanif said the government has taken a tough position against all kinds of criminal and subversive activities that might deteriorate law and order.

"The government won't tolerate any misconduct even by our men. It will contain any criminal activities with iron fists so that people do not have any sense of insecurity," he said.

GAZIPUR

Police said Jubo League ward leader Saidul Islam was killed in a "shootout" between his cohorts and members of Detective Branch (DB) of police at Salna in Gazipur early yesterday, reports our correspondent there.

Inspector of Gazipur DB Amir Hossain said police arrested Saidul, an alleged criminal, on Thursday and took him to Salna area to arrest his

associates and recover firearms around 12:00am yesterday.

Sensing the presence of police, the associates of Saidul opened fire on them, forcing the law enforcers to retaliate, he claimed.

At one stage, Saidul was caught in the line of fire, added the officer.

Saidul was taken to Shaheed Tajuddin Ahmed Medical College Hospital where doctors declared him dead around 12:25am.

Two DB constables -- Yeamin and Ujjal Mia -- were "slightly injured" during the gunfight. A pistol and two bullet were recovered from the scene, claimed Amir.

MA Jalil, officer-in-charge of Badda Police Station, said Saidul was wanted in five cases, including two for murder, filed with his station.

TANGAIL

Mojibur Rahman Sheikh, chief of the Sheikh-group of outlawed Sarbahara party, was killed in "crossfire" between his men and Rab personnel in Shamarghat area around 6:00am yesterday, reports our correspondent, quoting police.

On information that two groups of an outlawed party were in a gun battle in the area, a group of Rab members went there, said Tangail Police Station Officer-in-Charge [Investigation] Mustafizur Rahman. The outlawed party men then opened fire on the Rab men and they fired back, he claimed.

He said after the shooting, Rab members rescued critically injured Mojibur from the spot and took him to hospital where doctors declared him dead.

SATKHIRA

Alleged mugger Shaheen was shot in the legs during a "gunfight" between his cohorts and police at Krishnanagar of Kaliganj upazila early yesterday, police claimed.

Sub-Inspector Kamal Hossain, information officer of Satkhira district police, said a group of muggers intercepted Nirmal Ghosh of Krishnanagar village at Chatrar intersection of the upazila and took Tk 6 lakh from him at gunpoint around 2:15pm on Thursday.

Hearing his screams, police rushed there and chased the muggers and caught Shaheen in possession of Tk 4.79 lakh. The others managed to flee.

When police along with Shaheen conducted a drive at Krishnanagar to arrest his associates around 1:35am yesterday, his cohorts hurled crude bombs at police, and the police opened fire on them, he claimed.

Three police constables were injured in the crude bomb attack, police said.

Police recovered one locally made gun, two shotgun shells, two bullets and two sharp weapons from the spot.

Shaheen was admitted to Satkhira Sadar Hospital under police custody.

## Probir for probe

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police informed me that they couldn't record my application as a GD," he added.

In the draft GD, the editor of the daily Bangla 71 and online news portal u71news.com said he feared for his life and that of his family.

Probir yesterday said he posted a Facebook status as a last resort after being denied by law enforcers of filing the GD.

On July 25, he posted a status about the police refusing to record his application as a GD. Two weeks later, he posted another status on the social networking website, expressing fear for this life and that the LGRD minister, businessman Moosa bin Shamser and condemned fugitive war criminal Abul Kalam Azad would be responsible if he were killed.

Following the Facebook post, a case was filed against him with Faridpur Sadar Police Station under the ICT Act for "tarnishing the image of LGRD Minister Khandaker Mosharraf Hossain."

Detectives on August 16 picked up

the journalist from his Indira Road office in the capital.

Probir was remanded for three days, but was freed on bail on Wednesday, the second day of his remand.

Biplob Kumar Sarker, deputy commissioner (Tejgaon) of Dhaka Metropolitan Police, said he was unaware of the fact that the journalist went to Sher-e-Bangla Nagar Police Station to file a GD.

"Even if he was denied by the on-duty cops of filing the GD, he could have contacted the police high-ups," added Biplob.

Probir in 2001 had written a series of reports titled Sei Razakar in Bangla daily Janakantha on some suspected war criminals, including a controversial businessman from Faridpur and now condemned war criminal Abul Kalam Azad, also known as Bacchu Razakar, according to the draft of the GD.

He was attacked in April that year following his write-ups. In the attack, he lost a leg and also strength and mobility of one hand.