

FORMER ENCLAVES INSIDE INDIA

Residents protest
govt negligence

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The residents of the now defunct Bangladeshi enclaves inside India yesterday resorted to a novel way to protest their lack of fundamental rights.

Some 14,000 people of the former enclaves set scarecrows across their lands to participate in the protest.

The residents of the former enclaves said, though on paper their civic rights have been ensured they are still deprived of fundamental rights.

Although an entire year has passed since the enclaves were exchanged between India and Bangladesh, the Indian government has not yet taken any initiatives for any development in the area. The residents here have finally been able to claim statehood after remaining stateless for 68 full years but now, they are yet to enjoy any of their fundamental rights.

The residents say the top political leaders of the two countries exchanged the enclaves in a hurry to reap political gains. The residents of the former enclaves were used as pawns in this political game and now that the pur-

pose of the politicians has been served the people and their needs have lost importance.

Saddam Hossain of Moshaldanga under Dinhat sub-division of Cooch Behar district said, their life is comparable to the lives of scarecrows which are used to scare crows away from the croplands. So to drive home that point they set scarecrows on their lands as a symbol of their deprivation.

The residents said, over the last one year there has been no development in the area relating to education, health, electricity connection, water supply, roads and bazars.

Diptiman Sengupta, chief of the Nagorik Suraksha Samannay Committee said the politicians are 'using' the people living in the enclaves for their personal gains.

He said, Indian government has now got possession over 60,000 acres of former enclave lands. But the real owner of the land is the formerly-Bangladeshi residents of the enclaves. They were promised compensation against the lands which did not materialize within the last year. Not even a

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A man sets up a scarecrow in a paddy field in Moshaldanga area of Cooch Behar in West Bengal yesterday. In an unusual show of protest over their not getting access to fundamental rights, residents of the erstwhile Bangladeshi enclave in India have put up such scarecrows in their fields. PHOTO: STAR

FROM PAGE 1

SHAZNEEN
RAPE, MURDER CASE

DECEMBER 12, 1998

The investigation officer of the rape and murder case submitted a charge sheet against Shahid and five others.

APRIL 13, 1999

Charges in the rape and murder case framed.

Charges were pressed and framed also in the murder case, and the accused challenged the indictment orders in both the cases before the High Court.

JULY 6, 1999

An HC bench ruled that the murder case against the accused pending with the Additional Metropolitan Sessions Judge's Court would be stayed because the Special Tribunal for Prevention of Women and Children Repression had already indicted the accused for killing. The bench also gave the go-ahead to continue the rape and murder case at the tribunal.

The accused challenged the HC verdict before the Supreme Court.

NOVEMBER 11, 1999

The SC rejected their appeal, allowing the tribunal to continue with the proceedings in the case.

JULY 9, 2000

The trial of the rape and murder case filed under the Women and Children Repression (Prevention) Act began with the deposition of complainant Mojibur Rahman.

SEPTEMBER 2, 2003

After long court proceedings, Judge Kazi Rahmat Ullah of the Special Tribunal for Prevention of Women and Children Repression in Dhaka convicted and sentenced six accused to death in the case.

JULY 10, 2006

The HC confirmed the death penalty for Hasan, Shahid, Badal, Minu and Parvin. It, however, acquitted Shaniram Mandal.

APRIL 26, 2009

The SC accepted leave-to-appeal prayers of Hasan, Badal, Minu and Parvin. Later, the four lodged appeals with the SC. Shahid also filed an appeal with the apex court through the jail authorities.

MARCH 29, 2016

A three-member SC bench, headed by the chief justice, started hearing the appeals of the five convicts together. Two other members of the bench were Justice Hasan Foz Siddique and Justice Mirza Hussain Haider.

APRIL 5, 2016

The chief justice reconstituted the bench and turned it into a five-member one by including Justice Nazmun Ara Sultana and Justice Md Imman Ali.

MAY 11, 2016

The bench kept the appeals waiting for verdict after concluding the hearing.

AUGUST 2, 2016

SC delivered its verdict

Death for Shahid upheld

FROM PAGE 1

After the verdict, Shazneen's father Latifur Rahman said that while respecting the verdict of the honourable court, he was deeply disappointed and saddened.

"As a father, I have had to live with unfathomable sorrow and heart-wrenching memory of my daughter being most brutally murdered and then wait endlessly, patiently and expectantly for justice for all these 18 agonising years," said Latifur Rahman, leading businessman and chairman of Transcom Group.

"After receiving the full judgment, we will review and consider our next course of action," he said.

Nozrul Islam Chowdhury, senior counsel for the plaintiffs, said, "Once we receive and go through the certified copy of the judgment, we will consider whether we should proceed further."

In its verdict on September 2, 2003, a special tribunal sentenced six of the seven accused to death in the case filed following rape and murder of Shazneen in 1998. One of the accused died in police custody during the probe in the case.

"The killing went beyond the realm of fiction. It appears reality has surpassed imagination. It was like snatching of a child from her loving mother," observed Special Tribunal Judge Kazi Rahamat Ullah in the judgment.

Hasan was found guilty by the special court under section 6 (2) (rape with murder) of the Women and Children Repression Prevention Act, 1995, and the five others were found guilty under sections 6(2) and 14 (rape with murder and instigation) of the same law.

The convicts challenged the tribunal's verdict before the High Court.

On July 10, 2006, the HC confirmed the death sentence for the five and acquitted one, Shaniram Mandal, as it found that the mason was not involved in the conspiracy or rape or murder of Shazneen.

The five later filed appeals with the SC, challenging the HC verdict.

And the apex court came up with its verdict yesterday, around seven years after the filing of the appeals.

The grounds, on which the SC acquitted four of the five yesterday, could not be known as the full text of the verdict is yet to be released.

The top court also cancelled the proceedings of another case filed in 1998 under section 302 of the Penal Code in connection with Shazneen's murder.

Khandker Mahbub Hossain, the principal defence lawyer, said, "We are very happy that the Appellate Division, with firm determination, has done justice in this sensational and much-talked-about case."

CASE HISTORY

According to the case documents, Shazneen, a class-IX student of Scholastica, was raped and murdered at her Gulshan house on April 23, 1998.

The following day, her father Latifur Rahman filed a murder case with Gulshan Police Station under section 302 of the Penal Code. On September 4 the same year, the CID filed a case under Women and Children Repression [Prevention] Act for rape and murder.

After investigation, police submitted a charge sheet in the first case to the Additional Metropolitan Sessions Judge's Court-1 in Dhaka and another charge sheet in the second case to the Special Tribunal for Prevention of Women and Children Repression.

The courts later framed charges in the two cases.

JULY 9, 2000

The trial of Shazneen rape, murder case began

SEPTEMBER 2, 2003

Six of the seven accused was sentenced to death by a Special Tribunal for Prevention of Women and Children Repression [Seventh accused died in custody]

JULY 10, 2006

Death penalty for five of the six confirmed by High Court

AUGUST 2, 2016

Death sentence for one upheld and four other acquitted by Appellate Division of Supreme Court

The accused challenged the indictment orders in both the cases before the High Court.

On July 6, 1999, the HC bench of Justice Mohammad Abdul Karim and Justice ABM Khairul Haque (who later became chief justice) ruled that the murder case against the accused pending with the Additional Metropolitan Sessions Judge's Court would be stayed because the Special Tribunal for Prevention of Women and Children Repression had already indicted the accused for murder.

The bench also gave the go-ahead to continue the case at the tribunal for rape and murder.

In its verdict, the HC bench said rape and murder were two distinct and separate offences. It also mentioned that the autopsy report on Shazneen clearly stated she was raped before murder.

According to the report, there were 25 injury marks on Shazneen's body, and the injuries were not caused by a single weapon. As per the seizure list, two weapons were seized.

The accused challenged the HC verdict before the SC.

On November 11, 1999, a four-member Appellate Division bench, comprising the then Chief Justice Mustafa Kamal, Justice Latifur Rahman (who later became CJ), Justice AM Mahmudur Rahman and Justice Mahmudul Amin Chowdhury (who later became CJ), rejected their appeal.

In its verdict, the bench said the HC rightly stayed all further proceedings of the case at the sessions judge's court and gave the go-ahead to proceed with the case at the tribunal.

It is such a case where murder was committed not during rape. "It is a clear case of rape and then murder. These are two distinct and separate offences. So the question of double jeopardy does not arise," observed the apex court.

After getting the SC's approval, the tribunal went on with proceedings in the case and delivered the verdict in 2003.

APPEALS WITH SC

Four of the five accused -- Hasan, Badal, Minu and Parvin -- filed separate leave-to-appeal petitions, seeking permission for filing regular appeals against the HC verdict.

On April 26, 2009, around 11 years after Shazneen's murder, the Appellate Division of the SC accepted their leave-to-appeal prayers.

Later, the four lodged appeals with the SC. Shahid also filed an appeal with the apex court through the jail authorities.

A three-member bench of the Appellate Division of the SC, headed by the chief justice, started hearing the appeals of the five convicts together on March 29 this year. Two other members of the bench were Justice Hasan Foz Siddique and Justice Mirza Hussain Haider.

On April 5, the chief justice reconstituted the bench and turned it into a five member one by including Justice Nazmun Ara Sultana and Justice Md Imman Ali in it.

On May 11, the five-member bench kept the appeals waiting for verdict.

Nearly three months later, it delivered the judgment yesterday.

During the hearing, Nozrul Islam Chowdhury, AM Aminuddin, ASM Abdul Momin and Sarwar Ahmed stood for the plaintiffs, while Attorney General Mahbubey Alam and Deputy Attorney General Khandaker Dilruzzaman represented the government.

It's democracy

FROM PAGE 1

Delwar at first didn't understand what Nibras was talking about but figured out what he meant when he started speaking about politics.

"You never cast vote in any election. This is haram," Nibras said.

Giving a pause, he continued, "Never vote for the Awami League and the BNP."

The assistant chef recalled they had all agreed to do what the cold-blooded killer advised. Sometimes they shook their heads up and down, sometimes they said yes in a muted voice.

The sermon lasted for around half an hour, said Delwar who identified Nibras when The Daily Star showed him photographs of the Gulshan café attackers.

Aged 22, Nibras, who along with four other assailants carried out the unprecedented massacre in Bangladesh, had gone to the North South University and the Monash University (Malaysia campus).

US-based Site Intelligence that monitors jihadi activities posted photos of the five youths holding guns, saying the images were released by the Islamic State, a global terror outfit fighting for establishing Caliphate where democracy has no place.

One of the nine militants killed in July 26 operation by law enforcers in the capital's Kalyanpur also spoke against democracy in his recorded statements.

Shazad Rouf Orko, 24, gave his entire statement against his family, his father Towhid Rouf and those who "support Sheikh Hasina" and do not support Sharia Law.

He said he gave everything up for jihad.

Citing a holy verse to justify his action, Shazad said, "Either you kill [us] or get killed, paradise is for us."

"You guys support Sheikh Hasina ... you support democracy... that is why I am happy to call my family all murtads... all kafirs [atheists]. So, repent... before it's too late so that you can be saved," he said in English in his speech recorded before he along with other militants was killed.

The IS hasn't yet claimed to have any link to the Kalyanpur militants.

But Rakibul Hasan Reagan detained by police during the raid on the militants' den pledged allegiance to the IS.

His claim and belongings of the militants -- IS flags inscribed with "Allahu Akbar" in Arabic letters, black robes and red and white chequered keffiyeh -- seized from the flat where they had been living brought to the fore the issue of the IS presence in Bangladesh.

After the operation, Dhaka Metropolitan Police Commissioner Asaduzzaman Mia at a press conference said the militants killed in Kalyanpur and the Gulshan café attackers might belong to the same group.

The dresses and backpacks found in the raid were similar to those used by the Gulshan attackers, he said, adding that even handkerchiefs that law enforcers had found in the house were similar to those recovered from the Gulshan café.

The IS in the latest issue of its online magazine Dabiq claimed that the café attackers were "inghimasi soldiers of Caliphate".

Inghimasi is roughly translated as suicide fighter, according to jihadology.net, a clearinghouse of jihadi primary source material, original analysis and translation service.

In Dabiq, nothing was written about the Kalyanpur militants who were killed before they could cause any harm.

Last mammoths

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another 5,000 years.

This study in the Proceedings of the National Academy of Sciences suggests that these animals faced a different threat from their mainland cousins.

As the Earth warmed up after the Ice Age, sea levels rose, causing the mammoths' island home to shrink in size.

This meant that some lakes were lost to the ocean, and as salt water flowed into the remaining reservoirs, freshwater diminished further.

The fur-covered giants were forced to share the ever-scarcer watering holes. But their over-use also caused a major problem.

Lead author Prof Russell Graham, from Pennsylvania State University, said: "As the other lakes dried up, the animals congregated around the water holes.

"They were milling around, which

would destroy the vegetation - we see this with modern elephants.

"And this allows for the erosion of sediments to go into the lake, which is creating less and less fresh water.

"The mammoths were contributing to their own demise."

He said that if there was not enough rain or melting snow to top the lakes up, the animals may have died very quickly.

"We do know modern elephants require between 70 and 200 litres of water daily," Prof Graham said.

"We assume mammoths did the same thing. It wouldn't have taken long if the water hole had dried up. If it had only dried up for a month, it could have been fatal."

The researchers say climate change happening today could have a similar impact on small islands, with a threat to freshwater putting both animals and humans at risk.

Police find 'vital info' on terror

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To another question, he said the role of US-based SITE Intelligence Group during the Holy Artisan siege in Gulshan was "mysterious". He added it has to be checked whether the group had any connection with Islamic State.

'CLEAR PICTURE'

"We are now getting a clear picture about the militants, their masterminds and financiers during the course of investigation into the Gulshan café attack," Monirul Islam, chief of counterterrorism unit of Dhaka Metropolitan Police, told The Daily

Star on Sunday.

Asked about the number of militants on the loose, he won't give further information. He also declined to disclose the identities of the masterminds and financiers.

However, an official of the counterterrorism unit said they have a list of around 50 people including those involved in militancy and youths who are missing and suspected to be engaged in militancy.

He said probe found that seven to eight people were involved in the July 1 Holy Artisan attack. Five of them

directly took part in it and the rest were their trainers and masterminds.

Monirul, also an additional commissioner of DMP, said although they are yet to arrest anyone, they have identified who else apart from the gunmen were involved in the Gulshan attack. The hideouts where the attacks were planned have also been identified, he added.

The official also said electronic devices seized from the Gulshan café have been sent to the Criminal Investigation Department for forensic tests.

HASNAT UNDER SCANNER

Replying to a query, the IGP said former North South University teacher Hasnat Karim was under police radar.

"We will be able to take him into our custody whenever it is required," said the IGP at the press briefing.

Hasnat Karim was taken into custody along with other hostages rescued from the Holy Artisan Bakery.

Police claim they have released him after questioning but his family alleges he is still traceless.

The IGP said Hasnat is not beyond suspicion.

Gunmen stormed the Holy Artisan Bakery in Gulshan's diplomatic zone on the evening of July 1 and held diners hostage at gunpoint.

Before the commandoes stormed the eatery to end the siege, 20 hostages, including 17 foreigners, were brutally murdered.

Islamic State reportedly claimed credit for the attack.

It came after three years of targeted killings of writers, bloggers, freethinkers, university professors, foreigners, gay rights activists and members of minority communities, including

Hindus, Christians, Buddhists and Shia Muslims.

The US-based Site Intelligence, which monitors jihadi activities, posted separate photos of five youths around 10:00pm on July 2, saying the images were released by the global terror body.

In the post, the five were mentioned as "Dhaka attackers".

All in black panjabi and keffiyeh, they were grinning, holding AK-22 guns. A black cloth resembling the Islamic State flag was used as the background in each of the photos.