

# TANGAIL SCHOOLBOY SC stays HC verdict on UNO's transfer

STAFF CORRESPONDENT

The Supreme Court yesterday stayed for four weeks a section of a High Court verdict that ordered the government to transfer Tangail's Sakhipur upazila nirbahi officer and Sakhipur Police Station's officer-in-charge.

The HC on October 18 declared illegal a mobile court verdict that sentenced Sabbir Shikder, a ninth-grader of Protima Bonki Public High School in Sakhipur, to two years' imprisonment for allegedly threatening a local ruling party lawmaker via Facebook.

It also directed the secretaries of public administration and home ministries and the inspector general of police to withdraw UNO

Mohammad Rafiqul Islam and OC Mohammad Maksudul Alam from Sakhipur and place them outside Dhaka division "for a fair investigation".

Yesterday, chamber judge of the Appellate Division of the SC Justice Hasan Foez Siddique passed the stay order following two separate petitions filed by Rafiqul and Maksudul seeking stay on the HC order transferring them.

The chamber judge also asked them to file separate leave to appeal petitions with the SC against the HC verdict in four weeks.

Sabbir was sentenced to two years' in jail by the mobile court led by UNO Rafiqul reportedly under the Information and Communication Technology (ICT) Act for threatening the lawmaker via Facebook.

The Daily Star on September 20 published a report under the headline "Boy jailed for FB comment about MP".

Quoting the UNO and the OC, the report said UNO Rafiqul, also an executive magistrate, passed the order a day after police detained the boy following the filing of a general diary by Anupam, lawmaker of Tangail-8 (Basail-Sakhipur) constituency.

Following the report, the HC bench of Justice M Enayetullah and Justice Ashish Ranjan Das on September 20 issued a suo moto rule and asked the UNO and the OC to appear before it on September 27 and explain why a schoolboy was sentenced to two years' in jail under the ICT act.

Delivering verdict on the suo moto rule, the HC bench on October 18 declared the mobile court verdict against Sabbir illegal.

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# The man on the van and his show

HASAN MEER

The man sits on a rickshaw-van with small plastic containers full of some kind of seeds in front of him.

In his jalabiya (long panjabi-like dress) and keffiyeh (headgear) he appears a figure in deep thought as he runs his fingers through his neatly-trimmed beard.

A small crowd gathers around the van in front of the mosque in Karwan Bazar. Some reach out to touch the containers, but the man's assistant, a teen boy, screams: "No. Don't touch them."

Now the man, whose unusually long, unpronounceable Arabic name you forget the moment you hear it, clears his throat. He sips from a glass his assistant hands him.

He begins from the very beginning -- how the world came to be, how mankind is destined to be doomed and how everything that's been

happening is all man's fault. Some in the crowd -- a few of whom have just finished their prayers -- let out deep sighs.

The man looks around the startled faces, points his fingers



towards the sky and says: "But there's hope. I've seen the light. And you can see it too alright."

All that the crowd around him needs to do is buy one of

the containers, mix a spoonful of the seeds with water and drink it regularly. Everything will fall into place.

Before anyone could react, the assistant screams in support and starts nodding vigorously. After some moments of bafflement, some in the crowd follow suit.

The man gives a triumphant smile. He puts a spoonful of the seeds in a glass of water and stirs it well. He then sips from it and lets out a sound of absolute satisfaction. His eyes glitter.

The crowd leans forward to take a close look at the colourful seeds of who knows what. They look at each other, not sure what to make of those.

Yet, they start pulling out their wallets and pay Tk 100 for a container of their liking. The show is over for them, but by the time they leave, another crowd gathers around the man on the van.

And the show goes on.

A lot goes on around us. In this new news project, we started running feature contents based on personal experience. We also invite our readers to send similar write-ups for publishing, subject to editing and verification. Please send your pieces and also comments and feedback to reporting@thedailystar.net.

# SCHOOLGIRL 'KILLING'

# Accused found dead, hanging from ceiling

OUR CORRESPONDENT, Gazipur

The lone accused of schoolgirl Munni murder case allegedly committed suicide at a relative's house in the district's Kaliakoir yesterday, a day after the girl was found dead at her house.

The deceased was Arafat Sarkar, 20, of Chapair village in the same upazila.

His family members said Arafat was found hanging from the ceiling at his aunt's house in Ratanpur village.

Rafiqul Islam, inspector (investigation) of Kaliakoir Police Station, said they recovered the body and sent it to Shaheed Tajuddin Ahmed Medical Hospital morgue for an autopsy.

He said Arafat might have taken his life sometime on Tuesday night.

Police said Arafat stood accused in the case filed in connection with killing Munni Akter, 14, daughter of Shaheed Miah of Kutubdia village of Kaliakoir upazila.

Family members said they found Munni's body in her bed with scarf around her neck on Tuesday morning.

Her father then filed a murder case against Arafat with Kaliakoir police.

Munni's mother Rekha Akter claimed that she saw Arafat near their house early Tuesday.

She alleged that Arafat killed her daughter as she did not accept his proposal to develop an affair.

Munni's family alleged that Arafat used to harass her on her way to the school. An eighth-grader at Chapair High School, she was supposed to sit for Junior School Certificate (JSC) exam this year.

Her brother Ripon said they informed Arafat's family about the matter, but his family did not pay heed to this.

Moreover, Arafat threatened Munni and her father Shaheed with life for the

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# Her condition

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theatre yesterday morning. As the doctors were about to operate on her, they found infections deep in her reproductive organ.

They then decided not to conduct the operation and shifted her to the post-operative care unit, he said.

Gafur mentioned that a nine-member medical board was formed yesterday for her treatment.

Bilkis said the board would sit today, and decide on the treatment of the girl.

On October 18 afternoon, the girl was playing near her home in Jamirhat village in Dinajpur's Parbatipur upazila. Around evening, her mother noticed that she was missing.

Worried sick, the family searched for the girl but couldn't find her, said her rickshaw-puller father.

Next morning, villagers found her lying bloodied and unconscious on a field in the same village.

She was first rushed to a local hospital and later moved to Rangpur Medical College Hospital (RMCH). As her condition worsened, she was shifted to the DMCH, said Bikash Majumder, a paediatrician at the

RMCH.

Police arrested the alleged rapist, Saiful Islam, 42, of Parbatipur's Jamirhat village, in Dinajpur town on Monday night.

The girl's father said Saiful, his neighbour and a timber trader, is married but his wife left him a year ago. He is a father of four.

On October 20, the victim's father filed a case with Parbatipur Police Station against Saiful under the Women and Children Repression Prevention Act, said police.

## LAW MINISTER ASSURES OF QUICK TRIAL

Law Minister Anisul Huq has assured of quick trial of all sensational murder and rape cases, including the one over the rape of the five-year-old girl.

Prosecution would be instructed to place arguments before the trial courts, praying for the maximum punishment for the offenders, so that nobody can dare to commit such crimes in future, he said.

The minister was talking to reporters after a programme at the Judicial Administration Training Institute in the capital.

# Law that cries out for change

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personal law that deals with the familial issues of the minority community in Bangladesh does not permit wives to break away from marriage, it added.

Marriage is a religious duty for one's eternal life and so there is no question of its dissolution however strained the relationship might be, according to the country's Hindu law that dates back to the British period.

Unlike in India and Nepal where the Hindus comprise the majority, the only law applicable to aggrieved Hindu married women in Bangladesh is Hindu Married Women's Right to Separate Residence and Maintenance Act 1946. That means a woman can appeal to court for her separate maintenance by the husband but will not be granted exemption from marital obligation on any grounds and legal permission to remarry.

To this, Mita, a resident of Nakhpara in the capital, says, "It's ridiculous that I cannot divorce my husband even after he got engaged in an extramarital affair and abused me mentally and physically."

Though her status is unchangeable, her husband, who has been living with his second wife for one and a half years now in the capital, is allowed by the existing law of Bangladesh to marry as many times as his heart desires without facing any legal action.

India, however, has revised its old law and rules into the Hindu Marriage Act, 1955, which sees marriage as a civil contract rather than eternal bonding and so allows both the parties to break the agreement on specific grounds.

Nepal grants women additional grounds than men -- if she is raped and if the husband is impotent -- for divorce, according to websites of Nepalese law firms that deal with divorce cases.

## LEGAL BARRIER TO WOMEN'S REMARRIAGE

Meanwhile, Mita, without children, seems to live a life of an unmarried and self-dependent woman, except for the fact that her national ID card still mentions the name of her husband.

Once she tried to get a new ID card with the husband's name replaced by her father's, but the authorities informed her that to do so she needed to submit a divorce paper.

Her ordeal began in 2008, seven

years after her marriage, when she started to suspect that her husband was having an illicit relationship. But every time she demanded a direct answer from him, the man used to label her as a psycho, who, "without any evidence, was doubting his loyalty and in turn making it difficult for him to focus on work".

As time passed by, verbal abuse turned physical.

"I spent many nights crying and groaning in pain from the physical torture by my husband and thinking how I could unmask him before my in-laws, parents and brother," Mita said.

From the beginning of 2009, her husband, who was employed outside Dhaka at the time, stopped sending her money. He was, however, coming to Dhaka once or twice a month.

Whenever he was home, he was busy talking on phone all through the night and sleeping throughout the morning.

"From the phone conversations, I could guess it was her," said Mita, referring to the woman her husband had been going out with.

"Now there was no more hiding. But what else I could do other than watch," she sighed.

Then one day when he was away, she got her hands on a CD that had photos of the other woman and her husband and video footage of their moments of intimacy.

That is when she decided to part from her husband.

Jhumur Rani Deb, an employee of Bangladesh Krishi Bank in Ajmeriganj of Habiganj, however, has not yet made up her mind as to how she will untie herself from the broken marriage.

Her husband has been maintaining a separate world of him in Dhaka from just two years after their marriage in 2006. Their eight-year-old son hardly knows his father and refuses to talk to him on phone even on the rare occasions when he calls, Jhumur says.

On October 16, she spent all day at the Sonali Bank branch in the capital, where her husband works, to talk about the issues between them, but he quickly sneaked out asking her to wait with her son.

Jhumur says she wants the money and ornaments back, which her family gave her husband, and end the relationship through divorce.

"Every time I demand those things back, he asks me to present proof but we [Hindus] don't keep records [of the things given during and after marriage]...."

Against the backdrop of prevalent repression of Hindu women in the absence of a marriage act in Bangladesh, human rights organisations -- Manusher Jonno Foundation (MJF), Ain o Salish Kendra (ASK), Bangladesh Mahila Parishad and Banchte Shekha -- carried out country-wide campaigns to raise awareness of the need for a comprehensive marriage act that would provide for compulsory registration of Hindu marriages and divorce rights to both men and women.

They also proposed a draft law in 2011, in response to which the government passed in parliament Hindu Marriage Registration Act, 2012, first of its kind, said Banasree Mitra Neogi of the MJF.

But the law does not bind Hindu couples to register their marriages, let alone keeping a provision of divorce.

Campaigns for compulsory marriage registration and divorce rights faced strong opposition from influential Hindu men and eventually failed, said MJF Executive Director Shaheen Anam.

They say such legal provisions will encourage divorce among Hindu couples, she added.

Last year, Bangladesh Human Rights Foundation's chief executive Alena Khan and aggrieved Aapita Das, 26, filed a writ petition with the High Court for enforcement of her fundamental rights.

The court instructed the defendant, Aapita's husband, not to impose marital obligation on her until the hearing on the writ is held, Alena Khan said.

The constitutional provision ensuring everyone's equal right to life, irrespective of religion, cast, gender, class etc, contradicts the Hindus' personal law that denies right to divorce without forbidding men from indulging in polygamy.

## HINDU LEADERS THROTTLE MOVES TO REFORM

Asked what the hindrance to reform is, Meghna Guhathakurta, executive director of the Research Initiatives in Bangladesh (RIB), said Hindu hardliners consider any initiative for change to the family law as a threat to their exis-

tence and interference in the affairs of the minority community.

"But that was found baseless in our survey [conducted by the MJF and the RIB]," she said.

The survey of 936 people shed light on the fact that both men, 26.7%, and women, 29.2%, of the community want legal window to withdraw their marital vows.

Even 10.6 percent of the 180 responding men said their marriages had broken down to a level that they wanted to divorce their wives but couldn't due to the absence of such legal provision.

"The government is listening only to those in the Hindu leadership. It thinks they will bring votes for the ruling party," Meghna said. And so, the stories of women's suffering remain untold and unheard.

Bangladesh Puja Udjapan Parishad's General Secretary Tapash Kumar Pal said the socio-political structure in Bangladesh put them in a defensive position against any reform.

He, however, added that time has come for changes to be made in phases.

"There should be a uniform family law for all -- Muslims, Hindus, Christians and Buddhist," Tapash says.

The rights organisations, meanwhile, are again mobilising support for a complete Hindu marriage act, said Banasree of the MJF.

They will revise the 2011 draft law, plugging loopholes, if there was any, and then submit a fresh proposal to the law ministry, maybe by December, she added.

The strength Mita had gathered to start life afresh faltered when she faced the reality that she had no legal remedy.

"Is this what I deserve just because I was born into a Hindu family? Why do I have to live as his wife forever after all that I have been through?" she says.

Mita does not wear the white bangles, symbol of married Hindu women, anymore because, she says, those bear no meaning to her now.

Seeing her, many ask "Are you married?", "Have you got divorced?"

"Things are complex," she used to say but quickly found out that the answer led to the stretching of her harassment by more questions. So, she decided to limit her social interactions to only those who knew her story and could understand her plight.

# Bangladesh leads S Asia

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110th, the Maldives at 115th, Bhutan at 121th and Pakistan at 143th position.

Bangladesh also topped the list of countries in the world for number of years with a female head of state (for the last 50 years). "Female head of state" is used to describe an elected female head of state or head of government.

The country is followed by India, Ireland, Iceland, the Philippines, Sri Lanka, Norway, Finland, Liberia and the UK.

Bangladesh again holds the first position jointly with several other countries when it comes to enrolment in primary and secondary education, shows the report by the Geneva-based WEF.

Bangladesh is also the South Asian region's top performer, recording progress this year on the political empowerment gender gap but recorded a widening of the gap on women's labour force participation and estimated earned income.

It is followed by India, which reports progress this year on closing the gender gap with regard to wage equality and across all indicators of the educational attainment sub-index, fully closing its primary and secondary education enrolment gender gaps.

With an average remaining gender gap of 33 percent, the South Asia region is the second-lowest scoring region on this year's Global Gender Gap Index, ahead of the Middle East and North Africa and behind the Sub-Saharan Africa region.

No country in the region has fully closed its educational attainment gender gap, and only one country, Sri Lanka, has fully closed its health and survival gender gap. However, the region is also home to Nepal, one of the top five climbers over the past decade on the overall index and on educational attainment, says the report.

As per the report, Bangladesh has been positioned in the lower-middle income group.

The report also shows that Bangladesh ranked 135th in Economic Participation and Opportunity index. It was 107 in 2006.

Bangladesh's global rank in literacy rate is 110, health and life expectancy 103, women in parliament 74, women in ministerial position 124 and wage

## REDUCING GENDER GAP

COUNTRY	POSITION
BANGLADESH	72
INDIA	87
SRI LANKA	100
NEPAL	110
MALDIVES	115
BHUTAN	121
PAKISTAN	143

equality 122.

Pakistan has been ranked the second-worst country in the world for gender inequality for the second consecutive year and also the worst performing state in South Asia.

Through the Global Gender Gap Report, the World Economic Forum quantifies the magnitude of gender disparities and tracks their progress over time, with a specific focus on the relative gaps between women and men across four key areas: health, education, economy and politics.

More than a decade of data has revealed that progress is still too slow for realising the full potential of one half of humanity within our lifetimes, the report observed.

## Iran develops

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could reach an altitude of 900 metres (3,000 feet).

As with previous drone announcements by Iran, the news agency released photographs of the aircraft on the ground, but no footage of it flying.

"It has an advanced military camera with the capability of being used at night and during the day, as well as the possibility of being used in damp sea conditions," Tasnim said.

Earlier this month, the Revolutionary Guards claimed to have produced a new attack drone, the Saegheh (Thunderbolt), by reverse-engineering a US Central Intelligence Agency RQ-170 Sentinel drone that was captured in December 2011.

Iran claimed one of its cyber warfare units took control of the US drone and landed it safely, while the US says a technical problem caused it to crash.

The Guards released pictures of the Thunderbolt, but no footage of it in flight.