

## 26 appeals

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According to the Appellate Division orders, the HC needs to hear the appeals afresh.

The HC so far has disposed of only one appeal. On May 17 this year, it upheld its earlier verdict acquitting former BNP lawmaker Monjurul Ahsan Munshi of charges related to acquiring wealth illegally and concealing information of his property.

He had been sentenced to 13 years' imprisonment.

Talking to The Daily Star on Saturday, Khurshid Alam Khan, lawyer for the Anti-Corruption Commission, said the ACC would file an appeal with the Appellate Division against the HC verdict that acquitted Monjurul.

"We will take decision about the other appeals later," he said.

Earlier, Khurshid had told this correspondent that the HC could not hold rehearing of 26 appeals as its benches concerned were overburdened with other cases and some relevant documents were not produced before them on time.

The ACC had filed the cases during the regime of the military-backed caretaker government in 2007-2008 against the accused on charges of amassing illegal wealth and concealing information about it.

Several trial courts had convicted and sentenced the accused to different jail terms. But they were cleared by the HC from 2009 through 2011 upon their appeals.

The ACC then filed leave to appeal petitions with the Appellate Division challenging the HC verdicts. The petitions were filed from 2009 through 2012.

Subsequently, the apex court in 2014 and 2015 scrapped the HC verdicts and ordered it to expeditiously rehear the appeals for final disposals, said Khurshid Alam.

Some of the 26 appeals are now pending before the HC for rehearing, he added.

The Appellate Division had cancelled the acquittals of the accused, considering that the HC verdicts on their appeals were not correct, since it didn't properly consider the relevant evidence and corruption allegations brought against them.

"It [High Court] did not at all assess the evidence on record although the special judge on assessment of the evidence convicted the respondent [Mofazzal Hossain Chowdhury Maya]," the apex court said in its full verdict on the ACC's petition against the HC verdict that cleared Maya.

The ACC counsel said the HC acquitted the graft accused in light of a Supreme Court judgment that acquitted former Awami League minister Muhiuddin Khan Alamgir in a similar case.

Khurshid said the SC had acquitted Alamgir, declaring illegal a 2007 ACC notice that asked him to submit a wealth statement. There were no ACC commissioners at that time and Alamgir was in jail.

Among the other corruption accused are Nazmul Huda's wife Sigma Huda; former BNP state ministers Iqbal Hasan Mahmood Tuku and Mir Mohammad Nasiruddin and the latter's son Mir Helal Uddin; ruling Awami League lawmaker Haji Mohammad Selim; former BNP state minister Amanullah Aman and his wife Sabera Aman; former AL lawmaker Joyнал Abedin Hazari; ex-BNP lawmaker Hafiz Ibrahim and his wife Mafruz Sultana; former AL lawmaker Mockbul Hossain and his wife Fatema Tahera Khanam, the ACC lawyer added.

## Malaysia

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The rest were from other countries, he said, adding that those detained included 101 women and the three children.

"The 16 employers were held for hiring and harbouring illegal immigrants," he said, adding that Johor had the highest number of those caught, followed by Kelantan.

## AL allies

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was getting services without paying money.

He also said people were not getting proper services and they had to face various problems to get government services.

He suggested ensuring quality services to regain the image of the government.

Talking to journalists, AL presidium member Mohammed Nasim, also the health minister, said Prime Minister Sheikh Hasina suspended implementation of new VAT law, prioritising people's desire.

"The Awami League government is working for the wellbeing of the people, as Prime Minister Sheikh Hasina understands their feelings," he added.

## VIP's car

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asked the authorities concerned to ensure proper treatment of the victim, said a person close to the judge's family.

Late last night, Zabin's father moved him to Square Hospital in the capital for better treatment.

## Graft, not rain

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lots of foul play in construction and maintenance of dams, which should have protected six million haor people from flash floods.

Speaking in parliament on May 30, Water Resources Minister Anisul Islam Mahmud said excessive rain was responsible for flash floods and the damage of embankments in the haor areas, not negligence of BWDB officials.

Thousands of people were affected by the devastating floods in the haor areas of Sunamganj, Netrakona, Sylhet, Moulvibazar and Kishoreganj with nearly three lakh people requiring immediate relief from the government and NGOs.

As embankments got damaged badly, more than two lakh hectares of agricultural land were submerged, causing a loss of nearly a million tonnes of Boro crops.

The flash floods that struck as early as March rendered thousands temporarily homeless with many depending on relief for subsequent weeks for survival.

Yesterday, the ACC filed the case with Sunamganj Sadar Police Station against 61 people, including BWDB's suspended superintendent engineer Nurul Islam and additional chief engineer Abdul Hai, and 12 other officials.

Nurul and Hai along with Afsar were suspended on May 2 over allegations of corruption in building embankments in haor areas.

The other accused are owners and employees of different construction firms.

Earlier on April 12, the anti-graft watchdog formed a five-member committee led by director Mohammad Belal Hossain to probe the corruption allegations.

The investigation found that though BWDB engineers were aware of the possibility of flash floods, they "on purpose didn't begin dam construction work at the right time and abused power for their and others' benefit", said an ACC official, seeking anonymity.

"They played a role in the destruction of houses, crops, cattle and fisheries by creating scope for corruption to make financial gains.

"Though there is no provision for giving sub-contracts, such malpractice had taken place in some cases."

Besides, construction work was kept suspended in some cases for a long period in breach of terms of contracts, but the BWDB didn't take any action,

the official said.

In 2011, the BWDB took up a project to ward off inundation and improve drainage system for protecting crops from flash floods.

Under the project scheduled to end in 2019, the BWDB has so far built 1,500-km long dams in 36 of the country's 87 haors.

The project is being implemented under various packages.

According to the FIR, some construction firms failed to complete work under 84 packages by fiscal 2015-16 but the BWDB didn't cancel their contract or make them pay compensation as per the terms of the contracts. It rather allowed those firms to continue the remaining work in fiscal 2016-17 instead of floating fresh tender.

Four construction firms were awarded nine packages to start building dams by February 28, but they didn't do so.

It also says 45 contractors began construction work under 151 packages within the timeframe but they could complete between 10 and 90 percent of the work until late March when flash floods hit the haor areas.

"It appears that the contractors were waiting for rain or floods so that they could prepare fake bills with the help of dishonest officers of the Water Development Board, and pocket government money," reads the FIR.

Over the years, there have been allegations of negligence and corruption in building embankments that often fail to give protection from floodwater. This results in inundation of low-lying areas and loss of crops.

The ACC wrote to the water resources ministry in April last year when damaged embankments gave way to floodwater in haor areas. It asked the ministry to investigate the matter and asked it to submit a report in this regard in 10 working days.

The ministry took around a year to come up with a reply. In its letter to the ACC in the last week of February, the ministry said the embankments were damaged by rats that made holes in those.

The commission found the reply unsatisfactory and later summoned BWDB high-ups to quiz them over the late response.

Talking to reporters yesterday, ACC Secretary Abu Md Mustafa Kamal said that if the ministry had taken steps immediately after getting the ACC letter, Sunamganj would not have seen such devastation by flash floods this year.

# SC verdict today

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amendment illegal. The government appealed against the verdict on January 4 this year.

Nine amici curiae (friends of court), including Dr Kamal Hossain, and writ petitioners' counsel Manzill Murshid placed arguments before the SC against the constitutional amendment. And amicus curiae Ajmalul Hossain QC, Attorney General Mahbubey Alam and Additional Attorney General Murad Reza argued in favour of the amendment.

The parliament passed the amendment in September 2014, repealing the provision of the Supreme Judicial Council that had been empowered to probe allegations against judges and recommend his or her removal.

The Judicial Council is comprised of the chief justice and Appellate Division's two senior most judges.

The original constitution of 1972 had empowered parliament to remove SC judges. But the fourth

amendment to the constitution in January 1975 bestowed the authority on the president by abolishing the parliament's power.

During the first martial law regime in 1978, the then military ruler, Gen Ziaur Rahman introduced the Judicial Council by amending the constitution through a martial law proclamation.

In 2010, the SC scrapped the fifth constitutional amendment that validated all activities of the first martial law regime. It, however, condoned the introduction of the Judicial Council.

The then Awami League-led government retained that provision in the constitution through the 15th amendment in 2011.

But following the January 2014 one-sided national election that led to the Awami League remaining in power, the government moved to amend the constitution again, and the House passed the 16th amendment in September of that year.

## Secys want all even

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mobile courts that used to try a number of offences, including illegal assembly, public nuisance, unauthorised connection of electricity, water and gas, and cheating at examination centres.

Delivering a verdict on three writ petitions, the HC also said that empowering executive magistrates with judicial powers is "a frontal attack on the independence of the judiciary".

One of the secretaries at yesterday's meeting criticised Attorney General Mahbubey Alam for losing the case.

Admin officials had lost their judicial powers following the separation of the judiciary from the executive in November 2007 during the caretaker government's rule.

In the face of strong protests, the then caretaker government had relented to give them some judicial powers. The then president promulgated an ordinance empowering executive magistrates to run mobile courts to maintain law and order. The ordinance, however, allowed them only to fine individuals for an offence.

According to sources at the meeting, a secretary urged the government to provide them after retirement with the facilities they enjoy during leave preparatory to retirement (LPR). Secretaries get government residences, vehicles and house helps during service and LPR.

At the meeting, Health Secretary Sirajul Islam said the retirement age of

public servants should be raised from 59 to 62, citing examples of High Court judges and bureaucrats of neighbouring countries.

Public servants' retirement age was extended from 57 to 59 in 2012. It was fixed at 57 after the country's independence.

The retirement age of High Court and Supreme Court judges is 67 in Bangladesh while that of public servants is 62 in India, Pakistan and the US, and 65 in the UK.

The secretaries also called upon the government to create more posts of senior secretary or promote secretary to senior secretary within a fixed timeframe, said sources.

The PM asked secretaries to provide proper documents and information to the court through the Attorney General's Office because, she said, the government loses public interest litigation cases mostly for lack of proper documents.

She asked them to fix strategies to implement Annual Development Programme (ADP) at the beginning of a fiscal year instead of hurrying at the end.

Talking to reporters later, Secretary of Cabinet Division for Coordination and Reforms NM Ziaul Alam said, "The prime minister instructed the Chittagong Customs House to remain open for 24 hours for export and import of goods."

## 18 killed

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civilians. It had not identified the remaining victims.

It said at least 12 other people were wounded in the blast.

Syrian state news agency SANA quoted an interior ministry statement as saying two of the vehicles had been "destroyed" at a roundabout on the road to the city's airport.

The driver of the third blew himself up while being pursued, it said, "killing a number of civilians, injuring others, and causing material damage to public and private properties."

An AFP correspondent at Tahrir Square saw extensive damage to nearby buildings. Two bombed-out cars were visible to one side of the square, which was strewn with debris.

Yara, 23, who lives near Tahrir Square, said her apartment had been rattled by the blast.

"It was like war had returned after we felt that it had faded away," she said.

"I haven't left the house yet today -- I'm not afraid anymore, but I just want to do nothing today."

In the hours after the attack, a woman could be seen crying in a heavily-damaged apartment near the blast site.

Her balcony had collapsed and the living room was a mess of broken glass and shattered masonry, with pictures and curtains strewn across the floor.

The woman said her daughter had been taken to hospital after being injured by flying glass.

Tahrir Square resident Mohammad Tinawi told AFP that he had heard "gunfire at around 6:00am, then an explosion which smashed the glass of houses in the neighbourhood".

He said he had seen Red Crescent volunteers treating two wounded soldiers. A shopkeeper confirmed that the explosion had gone off at around 6:00 am.

Hours after the blast, security was still tight at checkpoints around the city centre although local authorities had reopened some streets leading to Tahrir Square.

Damascus has been spared the large-scale battles that have devastated other major Syrian cities during the country's six-year civil war.

But dozens of people have been killed in bombings, usually on the outskirts of the capital.

In mid-March, bomb attacks on a courthouse and restaurant in central Damascus killed 32 people. That rare assault in the heart of the city, which remains under government control, was claimed by IS.

It came days after two explosions that left 74 dead in the capital's Old City and were claimed by the Tahrir al-Sham coalition, led by the jihadist Fateh al-Sham Front.

Battlefronts around Damascus have calmed since a May deal that saw opposition fighters withdraw from several neighbourhoods, along with a separate agreement on "de-escalation" zones -- including one in a rebel stronghold just outside the capital.

Syria's conflict broke out with anti-government protests in 2011, but has since evolved into a multi-front war that has killed more than 320,000 people.

## Lightning

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in a field around 1:30pm, killing the five on the spot and injuring three others.

The injured were undergoing treatment at Kushtia Medical College Hospital, the OCSaid.

## Man murders

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and his mother, a beggar, had been residing in Nazrul's house for long.

Bazlu, an alleged drug addict, attempted to rape Fahima at her room around 7:00am. When the girl started screaming, Bazlu might have told her to stop. As she did not stop screaming, Bazlu hacked Fahima, killing her on the spot, said the OC.

Hearing her screams, Fahima's grandmother Khursheda Begum rushed in and tried to save the girl. But Khursheda was also stabbed. She was admitted to Kishoreganj General Hospital in a critical condition, the police official said.

Locals then caught Bazlu while trying to flee and handed him over to police.

On information, police recovered the body and sent it to Kishoreganj General Hospital morgue for an autopsy.

Victim's father Nazrul filed a case against Bazlu with Kishoreganj Sadar Police Station.

Khandaker Shawkat Jahan, officer-in-charge of the police station, said Bazlu admitted to the killing of Fahima.

## Recounting operation

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vehicle were badly hurt but luckily he suffered only minor injuries.

While hitchhiking his way to the airport, Lt Col Imrul called in commandoes who were on Eid holidays, and arrange for the arms and ammunition which were kept at different places.

"I reached the Sylhet airport around 1:30am and my team reached around 3:00am as they had to bring arms and ammo with them. A Bangladesh Air Force plane took off around 3:30am and landed in Dhaka at 4:10am," the commando told a handful of journalists at the army headquarters yesterday.

"Fellow colleagues were briefed on the plane. Immediately after landing, we were taken to the military operation room [in Dhaka Cantonment] where senior officers, including the army chief, were present," he said.

The Director Military Operation briefed them about different aspects of the operation and appointed him the commander for the operation.

Armoured personnel carriers (APCs) were ready to take them to the target site.

After briefing the army officers about the operation plan, he spoke with the restaurant owner to get an idea of the layout of the building. On the basis of their conversation, he decided to engage half of the 80 commandoes he had with him.

Around 7:10am, they started from Dhaka Cantonment for the operation. As soon as they reached the spot, the terrorists freed one hostage (Hasnat Karim, now arrested as a suspect).

"Then I again reduced the number of commandoes for the operation. I briefed them and launched the operation around 7:40am.

"We had to keep in mind that the terrorists could have held people hostage in nearby buildings. As the first APC broke through the bakery gate, the terrorists started firing on us. We did not return fire immediately."

There was a sudden cry for help. The first of the commandoes who stormed the restaurant brought out three hostages -- one Japanese and two Sri Lankans, he recalled, adding that their priority was to rescue the hostages alive.

In three to five minutes, commandoes took position beside the first two APCs and opened fire. Another group of commandoes took position on the roof.

"I was coordinating the operation... Suddenly, the commandoes asked me to take cover as two militants came out of the restaurant and started firing. They were shot dead there," said Imrul.

Meanwhile, the commando group on the roof fought their way into the first floor, took control of it and rescued eight more people.

On the ground floor, the commandoes were in a gunfight with the militants.

The commandoes entered the ground floor and rescued two people. Three to four militants died there, said the operation commander.

That was the end of the 13-minute operation, he said, adding that when they entered the building, there were improvised explosive devices, grenades, arms, ammunition, and dead bodies lying around, mostly on the ground floor.

"The savagery of the militants we

saw inside the building is indescribable," he said, adding that the militants had killed the hostages brutally hours before their operation.

He also spoke about the capacity of the para-commandoes, who are now capable of dealing with any kind of situation at home and abroad, like in UN missions.

The army para-commando battalion is now a fully-fledged brigade of the Bangladesh Army. The brigade has two battalions.

About the experience of the operation, He said, "We don't see it as our success. Rather, we see it as an experience. Of course, we never want to see a repeat of the Holey Artisan attack but we are well prepared for any situation."

The attack left 22 people dead, nine Italians, seven Japanese, two Bangladeshis, a Bangladeshi American and one Indian.

Two policemen were killed when the attack was unfolding.

Thirteen hostages were rescued.

## Shelve Rampal

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session.

Green activists have been protesting against the construction of the 1,320 MW coal-fired power plant in Rampal, fearing that it would destroy the harmony and ecological balance of the forest, which is also a Unesco World Heritage Site.

Speakers said that over the last two years they had released findings of 12 scientific and economic researches conducted by renowned local and foreign experts who used modern technologies in assessing negative impacts of the power plant on the Sundarbans.

The experts warned that chemical effects on water, soil, agricultural crops, trees and aquatic life as well as pollution from river dredging and navigation of coal-laden vessels would put public health in jeopardy and create economic and humanitarian disasters in the neighbourhoods.

Rasheda K Chowdhury, former adviser to a caretaker government and vice president of Bapa, said the government didn't come up with any scientific explanation to invalidate the concerns, which proved it was far away from welcoming the benefits of modern technologies.

"They are taking all decisions on political grounds," she said, while reading out a keynote paper at the press conference.

If the position of green activists against the plant and the scientific papers they presented are baseless, the government should come forward and counter those with scientific assessments, said Prof Badrul Imam of the geology department of Dhaka University.

"But the government is keeping mum," he said, adding that it had to be found out whether any vested quarter was forcing the government to go ahead with the project.

Columnist Syed Abul Maksud said it would be shameful and humiliating for Bangladesh if the Sundarbans was listed as a heritage site in danger. It would also prove the government's "ultra-super eccentricity".

If the government takes measures, the green activists are even ready to participate in an open debate with government bodies concerned and are willing to submit their scientific documents, Bapa General Secretary Abdul Matin said.

# Qatar still defiant

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and gave Doha 10 days to comply. The ultimatum is expected to expire at the end of the day yesterday, though the deadline has not been officially confirmed.

Riyadh and its supporters have already severed air, sea and ground links with Qatar, cutting off vital routes for imports including food.

Qatari citizens were ordered to leave the countries and various steps were taken against Qatari companies and financial institutions.

It is unclear what further measures will be taken if Qatar fails to meet the demands, but the UAE ambassador to Russia Omar Ghobash warned last week that further sanctions could be imposed.

As well as expelling Doha from the six-member Gulf Cooperation Council, the Arab states could tell their economic partners they need to make a choice between doing business with them or with Qatar, he told Britain's Guardian newspaper.

Riyadh's demands include ending Doha's support for the Muslim Brotherhood, the closure of Al-Jazeera television, a downgrade of diplomatic ties with Iran and the shutdown of a Turkish military base in the emirate.

Qatar has long pursued a more independent foreign policy than many of its neighbours, who tend to follow the lead of regional powerhouse Saudi Arabia.

Doha has said it is ready for talks to end the crisis and Kuwait, which

unlike most of its GCC neighbours has not cut ties, has taken the lead in mediation efforts.

US Secretary of State Rex Tillerson has also called for compromise and hosted senior Gulf officials, but his efforts have been undermined by remarks from President Donald Trump apparently supporting Riyadh's position.

Newspapers in the UAE rounded on Qatar yesterday, with prominent daily The National saying in an editorial: "Qatar's wrong-headed behaviour is depressingly predictable."

"A conclusion to the crisis... can only arrive when Doha meets its ways and seeks to answer the Gulf's concerns. We doubt that day will come soon, even though Qatar must be aware that its actions will deliver profound consequences," it wrote.

The Qatar Stock Exchange closed down 2.31 percent yesterday following Sheikh Mohammed's remarks.

## Militants trained

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firearm use, tried to attack the police by exploding the suicide vests. She wore the vests and approached the police but was captured before she could set the bombs off. However, the two others did not attempt to commit suicide as they had children with them, police suspected.

Abdul Mannan, additional deputy commissioner of CITC unit, said that they will extract some clues from the hideout and are hoping to get a trace of the absconding leaders using those.