

DENIGRATING CJ: WHO SAID WHAT



PRIME MINISTER SHEIKH HASINA
UNB, AUGUST 21

"The chief justice might have forgotten the appointment process. He was appointed by the president who is elected by lawmakers. He should have resigned from his post before making any comment on the election process of the women MPs or after delivering the verdict."



LAW MINISTER ANISUL HUQ
THE DAILY STAR, AUGUST 10

"Chief Justice Surendra Kumar Sinha made many comments in the judgment, which were irrelevant to the fact in issue of the case. He made derogatory remarks on the Jatiya Sangsad and undermined this institution. His observation is not based on logic, rather it is driven by emotion and grudge."



FINANCE MINISTER AMA MUHITH
THE DAILY STAR, AUGUST 4

"Yes, we will pass the constitutional [16th] amendment in parliament again and we will do it continuously."
"Let's see how far the judiciary can go. I think the judiciary's position is untenable. Will they interfere with people's representatives? We appoint them."



INDUSTRIES MINISTER AMIR HOSSAIN AMU
THE DAILY STAR, AUGUST 24

"The remarks, which you [chief justice] have made in the 16th constitutional amendment verdict, against the country must be expunged, otherwise people will come forward."
"You [other judges] should remember that he [Sinha] wants to take all the powers in the judiciary and we will have to follow whatever he would say. All the powers would be bestowed upon him and there would be nothing beyond that."



COMMERCE MINISTER TOFAIL AHMED
THE DAILY STAR, AUGUST 9

"Those who termed the incumbent parliament immature are themselves immature. Those who are now sitting in judges' seats are immature. They don't have any right to raise any question about the incumbent parliament."



AGRICULTURE MINISTER MATIA CHOWDHURY
UNB, AUGUST 27

"You yourself confessed that you were a member of the Peace Committee during the 1971 Liberation War. Though Prime Minister Sheikh Hasina had looked upon you favourably, the colour of coal cannot be changed even if it is washed... you have proved that."
"The people of the country will decide how to wash coal - a person like you."
BDNEWS24.COM
"You don't like anything of Bangladesh; then you can either leave the country or get treatment in Hemayetpur [Mental Hospital in Pabna]."



LGRD MINISTER KHANDKER MOSHARRAF HOSSAIN
THE DAILY STAR, AUGUST 11

"The chief justice has shown the audacity to insult Bangabandhu Sheikh Mujibur Rahman in the judgment."



LAW COMMISSION CHAIRMAN AND FORMER CHIEF JUSTICE ABM KHAIRUL HAQUE
THE DAILY STAR, AUGUST 9

"If the chief justice says the current parliament is immature, I have to say the Supreme Court judges are immature as they unnecessarily used derogatory and unparliamentary language about the parliament members in the verdict."

"Is the chief justice a headmaster and are other judges his students that he [CJ] has to control them?"

"Article 1 of the constitution talks about a people's republic, but this verdict is taking the country towards a judges' republic."



RETIRED JUSTICE SHAMSUDDIN CHOUHDURY MANIK
BANGLANEWS, AUGUST 26

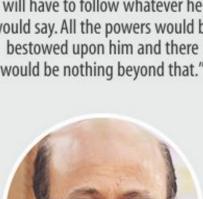
"It is impossible for him to write 400 pages in 25 days. He did not write his part of the verdict. It is clear that the verdict is not written by him at all. If you see the verdict, you will find words that were never used in any earlier verdict of SK Sinha. So it is clear that someone else - probably some Pakistani ISI agents - wrote the 16th constitutional amendment verdict."
NEW AGE, AUGUST 19

"The president should, under Article 97 of the constitution, take action against Justice Sinha for indulging in falsehood and breaching oath of office as the chief justice."



SHIPPING MINISTER SHAJAHAN KHAN
THE DAILY STAR, AUGUST 13

"The chief justice humiliated 16 crore people of the country and undermined parliament through the verdict."



FOOD MINISTER QAMRUL ISLAM
THE DAILY STAR, AUGUST 10

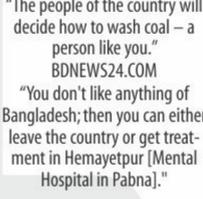
"If the chief justice doesn't step down by this month, lawyers would launch a vigorous movement next month to remove him."
"You [the CJ] would not be able to stay in your post, siding with the anti-liberation forces, including the BNP."
THE DAILY STAR, AUGUST 19

"If he [chief justice] is telling us now that appointments have been made on political considerations, then it must be pointed out that he was himself appointed on political consideration in 1999.... He [chief justice] is acting as a toy of a lobby."



INFORMATION MINISTER HASANUL HAQUE INU
THE DAILY STAR, AUGUST 24

"The chief justice should resign voluntarily to restore the judiciary's image which he made controversial by making unwanted comments."



AL MP FAZLE NOOR TAPOSH
THE DAILY STAR, AUGUST 13

"The part of the chief justice's verdict relating to the 16th amendment to the constitution was prepared by the editor of an English daily."

"We know who were involved in the conspiracy. We'll unmask them one after another. We also know from where the draft of the case relating to the 16th amendment to the constitution has come. The draft has been prepared by the editor of an English daily."



AL PRESIDUM MEMBER ABDUL MATIN KHASRU
PROTHOM ALO, AUGUST 7

"Cruel remarks were made about the leadership of the political party, AL, which led the Liberation War. We think, that was not a matter for the judgement and had no relevance to the subject of judgement."
"We can in no way expect this from the head judge of the country. We are bound to follow the SC verdict as per Article 111 of the constitution, but we didn't expect such irrelevant remarks in any way."



RETIRED JUSTICE SHAMSUL HUDA
NEW AGE, AUGUST 19

"Enough is enough, Justice Sinha should no more scandalise the chief justice's chair."

OLAMA LEAGUE PRESIDENT ABDUL HALIM BOKHARI
PROTHOM ALO, AUGUST 19

"All Islamic scholars of the country will lay siege to the Supreme Court and your residence to give you a fitting reply if you do not resign."

Sinha's seminal judgments

FROM PAGE 1
Justice Sinha wrote the verdicts on both the appeal and the review petition by Mollah.

Elevated as an Appellate Division judge on July 16, 2009, Sinha was also a member of the Appellate Division bench that delivered some other historic verdicts, including in Bangabandhu murder case and three constitutional amendments -- 5th, 7th and 13th.

Before assuming the office of the chief justice on January 17, 2015, Justice Sinha, being the senior most judge of the Appellate Division, has led the four-member bench of the apex court in November 2014 to dispose of the appeal filed by Jamaat leader Kamaruzzaman against his death sentence handed down by a war crimes tribunal. The four-member bench delivered the verdict on November 3, 2014, rejecting the Jamaat leader's appeal. Justice Sinha wrote the verdict.

Justice Shamsuddin Choudhury Manik, who has been an old and bitter critic of Justice Sinha since his disagreement centring on his retirement in October 2015, was a member of the same bench.

He agreed with the main verdict penned by Sinha.

Jamaat leader Kamaruzzaman, however, filed a petition with the top court seeking review of its judgment. Being the chief justice, Sinha this time led the four-member bench of the Supreme Court to dispose of the review petition.

The SC delivered its order on April 6, 2015, rejecting the appeal. As a member of the bench, Justice Manik wrote the judgment on the review petition. He found no error in the judgment delivered by Justice Sinha in November 2014.

In 2014, Justice Sinha was a member of the five-member Appellate Division bench headed by CJ Muzammel Hossain to dispose of the appeal by Jamaat leader Delwar Hossain Sayedee against his conviction and death sentence by a war crimes tribunal in 2013.

The bench delivered the verdict on September 17, 2014, commuting the Jamaat leader's death sentence to life imprisonment. Justice Sinha, Justice Abdul Wahhab Miah and Justice Manik each wrote separate judgments. The then CJ Muzammel and Justice Hasan Foez Siddique concurred with Sinha's verdict.

Quader Mollah's case marked an unprecedented rise of youths in support of the war crimes trial.

REVIEW, APPEALS FILED AT SC

NIZAMI'S APPEAL Four-member bench led by CJ Sinha Verdict written by Justice Nazmun Ara Sultana Delivered on January 6, 2016	KAMARUZZAMAN'S APPEAL Four-member bench led by CJ Sinha Verdict written by CJ Sinha Delivered on November 3, 2014
NIZAMI'S REVIEW PETITION Four-member bench led by CJ Sinha Verdict written by CJ Sinha Delivered on May 5, 2016.	KAMARUZZAMAN'S REVIEW PETITION Four-member bench led by CJ Sinha Verdict written by Justice Manik Delivered on April 6, 2015
MIR QASEM'S APPEAL Five-member bench led by CJ Sinha Verdict written by CJ Sinha Delivered on March 8, 2016.	SAYEDEE'S APPEAL Five-member bench led by CJ Mozammel The CJ and Justice Hassan Foez concurred with verdict written by Justice Sinha Justice Wahhab and Justice Manik wrote separate verdicts Delivered on September 17, 2014
MIR QASEM'S REVIEW PETITION Five-member bench led by CJ Sinha Verdict written by CJ Sinha Delivered on August 30, 2016.	REVIEW PETITIONS BY GOVT AND SAYEDEE Five member bench led by CJ Sinha dismissed both petitions on May 15, 2016. The full verdict was not yet released.
MOJAHEED'S APPEAL Four-member bench led by CJ Sinha Verdict written by Justice Hasan Foez Siddique Delivered on June 16, 2015	GOVT'S APPEAL AGAINST QUADER MOLLAH VERDICT Five-member bench led by CJ Muzammel The CJ and Justice Mahmud Hossain agreed with the judgment of Justice Sinha Justice Wahhab and Justice Manik wrote separate judgements Delivered on September 17, 2013
MOJAHEED'S REVIEW PETITION Four-member bench led by CJ Sinha Verdict written by Justice Hasan Foez Siddique Delivered on November 18, 2015	QUADER MOLLAH REVIEW PETITION Five-member bench led by CJ Muzammel Verdict written by Justice Sinha Delivered on December 12, 2013
SALAUDDIN QUADER'S APPEAL Four-member bench led by CJ Sinha Verdict written by CJ Sinha Delivered on July 29, 2015	
SALAUDDIN'S REVIEW PETITION Four-member bench led by CJ Sinha Verdict written by CJ Sinha Delivered on November 18, 2015	

In February 2013, a war crimes tribunal sentenced him to life, sparking huge protests which led to the creation of Gonojagoron Mancha at Shahbagh in the capital. The movement later spread across the country, demanding capital punishment for Quader Mollah and other war crimes convicts.

This very protest also led to the amendment to the war crimes law, allowing the government to appeal against the tribunal verdict.

Following this amendment, the government filed an appeal with the SC against the tribunal verdict in

Quader Mollah's case. Justice Sinha was a member of the five-member bench headed by the then CJ Muzammel Hossain. The apex court delivered the verdict on September 17, 2013, and sentenced Mollah to death.

Justice Sinha, Justice Wahhab Miah and Justice Manik wrote separate judgments on the appeal with their views and reasoning. CJ Muzammel and Syed Mahmud Hossain agreed with the judgment of Justice Sinha.

In the disposal of Quader Mollah's petition seeking review of the apex court's verdict, Justice Sinha was in the five-member bench led by the then CJ

Muzammel. The bench delivered the verdict on December 12, 2013, rejecting the petition. Justice Sinha wrote that verdict.

All of this goes on to show the significance of the apex court and Justice Sinha in completing those trials.

One of the biggest achievements of the Sheikh Hasina government has been to hold war crimes trial. Over the years, the anti-liberation forces had become very powerful both politically and financially, giving birth to a perception that they might escape punishment for crimes committed during our Liberation War.

But a bold step by Hasina meant that many of the top war criminals were brought to book through trial.

The political situation during the trial proceedings was not peaceful. Jamaat-Islami frequently called hartals against the verdicts. Even after the tribunal's verdict convicting Jamaat leader Sayedee in 2013, Jamaat-Shibir men unleashed unprecedented violence, leaving around 100 people dead.

The role of the judiciary has also been glorious in upholding the universal principle of justice for crimes against humanity. In the process, several judges, including CJ Sinha, played a seminal role for which the nation is grateful.

But to question his professional integrity, honesty, metal fitness and commitment to upholding the rule of law is to question all the legal processes he has been a part of. This, we fear, may cast doubts on all the verdicts he has fully or partly authored, which cannot be the wish of the prime minister who so courageously held the war crimes trial.

Now, sowing the seeds of doubt about Justice Sinha's integrity will only strengthen the anti-liberation forces who have always opposed the war crimes trial.

To accuse him of being a "Razakar" is perhaps the cruelest of ironies.

Girl gang-raped in Bagerhat

A CORRESPONDENT, Bagerhat

A 24-year-old girl has allegedly been gang-raped in Ranjitpur village of Sadar upazila.

Her elder sister yesterday filed a case under the Women and Children Repression Prevention Act, accusing five people, including Fakir Fahmud Sinha, SEE PAGE 17 COL 4

Going home

FROM PAGE 1
Eid is tomorrow.

Bus terminals, launch terminal and railway stations saw crowds of home-goers.

Usually, around 1.29 crore people of Dhaka, Narayanganj and Gazipur, leave the cities to celebrate Eid at their homes, according to the National Committee to Protect Shipping, Roads and Railways (NCPSSRR).

Of them, 55 percent would go by road, 25 percent by waterways and 20 percent would use trains, the committee estimated.

Yesterday was the last working day before Eid. A three-day government holiday begins today.

This year, the holidaymakers faced less hassle as traffic movement at the exits of the capital and its outskirts was quite smooth, as of yesterday noon.

Unlike previous years, the country's major highways did not see tailbacks even though flow of traffic kept increasing.

There has been a slow traffic on Dhaka-Aricha highway.

During visits to different bus terminals, holidaymakers were seen gathering there since noon. Many said the situation was good so far as most of the buses departed on time.

"I am really happy to see the improved situation this year. My bus was scheduled to depart at 8:00am and it came almost on time. But I don't know about the situation on the highways," said Shakhawat Hossain, who got on a bus to Khulna.

Masud Reza, another passenger travelling to Satkhira, said, "My bus left just at 3:00pm. There might be some delays at the ferry terminal, but once we reach home, all hassles will end."

Saudia Paribahan's staff Laal Mia said there were fewer passengers this year.

Staff of different bus counters, however, said the number of holidaymakers would increase at night.

Mohakhali Bus Terminal also witnessed a huge number of holidaymakers.

A handful of buses came in half an hour late due to congestions in front of cattle markets along the way.

The Paturia-Daulatdia ferry terminal saw several hundred vehicles waiting on both sides of the Padma river in the morning. The situation improved in the afternoon.

Strong current in the Padma was hampering ferry services, our Manikganj correspondent reported.

Adequate number of ferries were in service, said Shafiqul Islam, manager (commerce) of Bangladesh Inland Water Transport Authority's (BIWTA) Daulatdia office.

However, Shimulia ferry terminal in Munshiganj saw long queues of vehicles. Over 450 vehicles were waiting in line to cross the river, reported our Munshiganj correspondent.

At least 19 ferries were in service there.

The traffic movement was normal on Dhaka-Tangail and Dhaka-Chittagong highways, our correspondents in Comilla and Tangail reported.

On Dhaka-Tangail highway, there was heavy traffic yesterday morning but the flow was normal, said Khalilur Rahman Patwary, officer-in-charge of Gorai Highway Police Station.

On Dhaka-Chittagong highway, traffic movement was normal from the toll plaza of Meghna-Gumti Bridge to Paduarbazar intersection, said OC Abul Kalam Azad of Daudkandi Highway Police Station.

TRAINS AND LAUNCHES
Hundreds of holidaymakers, including women and children, yesterday travelled on train roofs risking their lives and ignoring authorities' directives.

The rail stations of the capital were crowded yesterday.

Most of the trains left Kamalapur Railway Station on time. As of 2:00pm, four trains of northern districts were delayed by one to two hours.

"It's been one hour, I have been waiting for Silkcity [Rajshahi bound train]," said Sohrab Hossain, while fanning his two-year-old daughter with a newspaper.

Silkcity was scheduled to leave Kamalapur at 2:20pm but it did not arrive until 3:00pm. The authorities rescheduled the departure to 3:15pm.

Talking to The Daily Star, Station Manager Sitangshu Chakraborty of Kamalapur Railway Station said four trains -- Dhumketu, Sundarbans, Nilsagar and Rangpur -- arrived at the station one or two hours late.

Dhumketu goes to Rajshahi, Sundarbans to Khulna, Nilsagar to Nilphamari and Rangpur to Rangpur.

"Trains are stopping for about 10 minutes at stations whereas they usually stop for two minutes. That is why these are behind the schedule," he said.

A total of 67 trains left Dhaka with holidaymakers yesterday.

Meanwhile, thousands of people flocked to Sadar Ghat Launch Terminal from early hours of yesterday.

Passengers who secured cabin tickets were seen relaxed but others hustled around trying to book tickets.

Even though all tickets were sold, launch staffers arranged accommodation in cabins for crew members at incredibly higher prices.