



"I hope that it marks the beginning of a new phase of Arab action for solidarity among us..."

Syrian President Bashar al-Assad tells Arab League summit attendees



DHAKA SATURDAY MAY 20, 2023

REGD. No. DA 781

VOL. XXXIII No. 121

JAISHTHA 6, 1430 BS

www.thedailystar.net

SHAWWAL 29, 1444 HURI

16 PAGES : Tk 15.00



WR1

Destroying the last line of defence



P10

'Everything at this level is about mindset'



P6

Xi unveils grand development plan for C Asia



P5

Sand lifting from Teesta bank rampant

Trial courts must hold sentencing hearings: HC

ASHUTOSH SARKAR

In a landmark directive, the High Court has said the trial courts must hold separate hearings on sentencing in criminal cases.

The sentence in such a case must be pronounced at a later date.

The directive comes in the full text of a verdict, which observes that the number of death sentences at trial courts is rapidly increasing, and the convicts have to suffer on death row for around six years, as they go through the appeal hearing process.

Legal experts believe these directives will significantly reduce the number of death and long-term imprisonment sentences awarded by trial courts.

Courts in Bangladesh do not hold hearings on sentencing. But it is practised in different countries so that punishments commensurate with the crimes. Legal systems in the US, the UK, and Australia follow methods that ensure consistency in sentencing.

Talking to this newspaper, criminal law expert Khurshid Alam Khan said the separate hearing on sentencing is definitely a positive step, and it would add a new dimension to the criminal justice system.

"However, I think a specific law or guideline must be formulated in this regard," he said.

Supreme Court lawyer Mohammad Shishir Manir, who moved at least 120 death sentence-related cases before the HC, said, "This is a landmark judgement for this subcontinent. If this judgement is implemented, there will be a sea change in the criminal justice delivery system in Bangladesh."

"We have analysed 200 criminal cases and found that only 20 percent of the death and long-term imprisonment sentences are upheld, 50 percent are commuted and 30 percent of the convicts get acquitted."

As of November 1 last year, there were 2,162 convicts on death row in prisons across the country, said a report submitted to the HC bench.

The verdict mentions that the Supreme Court registrar general must issue a circular directing the courts and tribunals across the country to comply with the directive on sentencing.

The HC also asked the authorities concerned to send a copy of the judgement to the law secretary, so that necessary actions are taken.

Specifying how judgements will be delivered, the verdict says when the final argument of the parties is concluded and the judge has decided to award death or life imprisonment or imprisonment for a term of years, the judge will express the decision in the open court or tribunal.

The judge will then fix a date, within the shortest possible time, for a separate hearing in order to determine the appropriate sentences.

The 84-page verdict by the HC bench of Justice Sheikh Hassan Arif and Justice Biswajit Debnath was released on Thursday.

"In such [sentencing] hearings, the trial judge shall balance between aggravating and mitigating circumstances with an eye on particular issues like the nature of sentence, circumstances of its commission, the age and character of the offender, the injury to the individuals or to the society, whether the offender is a habitual, casual or a professional offender, effect of punishment on the offender, delay in the trial and mental agony suffered by the offender during the prolonged trial..." reads the verdict.

The trial court judges must also consider the possibility of correction and reformation of the offender before pronouncing the judgements, it says.

Legal experts believe that these directives will significantly reduce the number of death and long-term imprisonment sentences awarded by trial courts.

SEE PAGE 2 COL 1



BNP leaders and activists clash with police in Khulna city's press club area. The clash broke out yesterday afternoon after police intercepted a procession by party men heading towards the press club to join a protest rally. At least 40 people were injured.

PHOTO: HABIBUR RAHMAN

COUNTRYWIDE AGITATION BNP activists, cops clash, 40 hurt in Khulna

Govt's time over, Fakhru tells rally in the capital

STAFF CORRESPONDENT

On the first day of the countrywide demonstrations of the BNP yesterday, violence erupted in Khulna city where at least 40 people were injured in a clash between police and BNP men.

The party yesterday held rallies in 27 districts and cities, including Dhaka.

The clash took place near Khulna Press Club and adjoining areas around 4:00pm when BNP men were gathering there to join a party programme.

BNP leaders said they were holding a rally on the club premises to press home their 10-point demand, including the resignation of the government and holding the next national polls under a non-partisan government.

Witnesses said the clash broke out when a procession of BNP activists was heading to the rally.

Police charged truncheons on the BNP men, and fired tear gas shells and shotguns to disperse them.

The BNP men hurled brick chunks at the law enforcers.

SEE PAGE 2 COL 1

BNP making preparations to unleash violence

Says Quader on the party's road march

STAFF CORRESPONDENT

Awami League General Secretary Obaiddul Quader has said the BNP is preparing to unleash violence and arson attacks behind the facade of road march.

"The BNP can call for a movement, but people will not let their movement become successful. Their movement has failed... Their road march is their march towards fall," he said.

The road transport and bridges minister was addressing a "peace rally" in front of the AL central office in the capital's Gulistan yesterday. The Dhaka City (south) AL organised the event aimed at counteracting the BNP's protest rally in Shyamoli.

Addressing the foreign

SEE PAGE 6 COL 3

Wasa 'personal property' of Taqsem

Its board chairman doubles down on his allegations in interview with The Daily Star

DIPAN NANDY

Dhaka Wasa board Chairman Gholam Mostofa has said the organisation has become a "personal property" of its managing director, Taqsem A Khan.

"No other government organisation is run like the way the Wasa is being operated by the MD. He runs the agency at will, showing disregard for the organisational rules, government regulations and the board's opinions. He pays no heed to anyone's opinion," Mostofa said in an interview with The Daily Star yesterday.

The chairman sent a letter to the LGRD ministry on Wednesday, detailing his complaints against the MD. He accused the MD of running the organisation autocratically.

Mostofa said he sent the letter after failing to resolve the longstanding disputes between Taqsem and the Wasa board of directors.

He said the board members tried to convince Taqsem of following the Wasa rules and showing respect for the board's jurisdiction, but the MD didn't heed their advice.

Criticising Taqsem's role in the board meetings, Mostofa said, "He does everything at will. It seems that he sits in board meetings to implement his agendas."



Gholam Mostofa

SEE PAGE 2 COL 4

Imran refuses home search by police

REUTERS, Lahore

Former Pakistan prime minister Imran Khan yesterday refused police permission to search his Lahore home for suspects involved in this month's attacks on state and army buildings and laid out his own terms for any such operation.

Khan has denied sheltering anyone involved in the violence and said a search could only be conducted by a panel set up by a high court, with members from both the government and his party - and on the condition that a female officer accompanies them.

"They first said that there were terrorists (inside), but then they said that there were wanted men," Khan told reporters.

"I asked them, they could come and see inside if there was any wanted men, but they said they wanted to search my home, which I couldn't allow," he said.

"If they have to search, it will be under a court order, like it said earlier, that there will be persons from both sides with a woman included."

He said he feared police, unsupervised, could plant weapons.

Amir Mir, information minister of the province of Punjab, of which Lahore is the capital, earlier told Reuters that police would only start a search after agreeing on conditions with Khan.



SEE PAGE 6 COL 4



A makeshift fish market beside the Dhaka-Chattogram highway hampers vehicular movement at Jatrabari in the capital. The market remains open from 4:00am to 9:00am every day. Because of this market, it takes around two-three hours to reach Sayedabad or Gulistan from Kanchpur, a journey that usually takes half an hour. The photo was taken around 5:30am yesterday.

PHOTO: ANISUR RAHMAN

Investigate allegations of irregularities, graft in Wasa

TIB urges govt

STAFF CORRESPONDENT

There is no scope for ignoring the allegations against the Wasa managing director now that its board chairman himself has raised them, said Transparency International Bangladesh yesterday.

In a statement, TIB urged the government to conduct a neutral probe into allegations of irregularities and corruption within Wasa that were reported in media.

Citing media reports, TIB said Wasa chairman wrote to the Local Government and Rural Development Ministry and also told media that its MD has made the state-run agency into "a den of corruption" and its board ineffective.

TIB Executive Director Iftekharuzzaman said the whole issue is a glaring

SEE PAGE 6 COL 4