



Supreme Judicial Council revived

Not JS, the council to recommend removal of SC judges for misconduct, incapacity, rules apex court

STAFF CORRESPONDENT

The Supreme Judicial Council, not parliament, will deal with the allegations against the Supreme Court judges over incapacity or misconduct, according to an Appellate Division verdict yesterday.

The judgment, which came in response to a review petition filed by the previous government against an 2017 SC verdict, ends an eight-year-long stalemate and sticks to the HC's earlier verdict to scrap the 16th amendment to the constitution that empowered parliament to deal with the allegations against SC judges.

Before the 16th amendment was made in 2014, the council -- comprising the chief justice and two other senior judges of the Appellate Division -- had the authority to probe such allegations and make necessary recommendations to the president for action.

But when the High Court, in May 2016, scrapped the 16th amendment, parliament lost its power to deal with the matter. However, the council could not be made functional as the then government challenged the HC verdict at the Appellate Division.

Even after the Appellate Division upheld the HC verdict in July 2017, paving the way for making the council functional, the government filed a



Flouting navigation rules, a launch dangerously goes beneath the Babubazar bridge over the Buriganga, putting the passengers as well as the structure at risk. Such large vessels are not allowed to ply this route. The photo was taken from the capital's Islambagh area recently.

PHOTO: RASHED SHUMON

The judiciary has moved to a place where it can perform its duties independently, devoid of corruption and political influence.

Attorney General MD Asaduzzaman

review petition, which created the legal stalemate.

Yesterday, a six-member bench of the Appellate Division, led by Chief Justice Syed Refaat Ahmed, disposed of the review petition after a hearing, Attorney General MD Asaduzzaman told The Daily Star.

The apex court also made some observations, which would be known once the full text of the verdict was released, he added.

The development came at a time when students are demanding 12 HC judges, who they deem are pro-AL judges, be removed.

Appreciating the revival of the council, Law Adviser Asif Nazrul yesterday said the verdict gives the people, including students, a platform to raise their concerns, reports UNB.

"The Supreme Judicial Council has been reactivated. There was some confusion surrounding this, but the court's verdict has cleared that. Now, the council can be made fully operational," he said while speaking to reporters at the Secretariat.

He said the forum responsible for ensuring accountability of judges has been reinstated.

"If a complaint is lodged today, the process will begin immediately. There's no need for a separate notification; it is clearly stated in the constitution.

"When the council was inactive, there was no forum to ensure the accountability of the higher judiciary. At that time, the court administration also lacked the will to ensure such accountability, as they were delivering judgments dictated by others," Nazrul added.

He said, "There are some High Court judges against whom various sections of the society have myriad complaints. Some of them became instruments of the fallen oppressive regime. There are also allegations of corruption against a few. There have been reports in the media, and many are angry about this. Now, through the council, there is a constitutional way to address these grievances."

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12 HC judges kept away from judicial duties

STAFF CORRESPONDENT

The Supreme Court reopened yesterday after one and a half months, with 12 judges kept away from participating in judicial proceedings.

The decision was made on Wednesday while demonstrations by hundreds of people, mostly students, demonstrated on the SC premises demanding removal of "pro-Awami League fascist judges".

The High Court judges barred from judicial duty are Justice Md Ataur Rahman Khan, Justice Naima Haider, Justice Sheikh Hassan Arif, Justice Muhammad Khurshid Alam Sarkar, Justice Ashish Ranjan Das, Justice Khizir Hayat, Justice SM Maniruzzaman, Justice Khandaker Diliruzzaman, Justice Md Akhtaruzzaman, Justice Shahed Nuruddin, Justice Md Aminul Islam,

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Lost chance for a fitting farewell

AL-AMIN

A proper farewell to a player has been a rarity in Bangladesh cricket. And in that context when champion all-rounder Shakib Al Hasan expressed his desire to sign off from Test cricket at the home of cricket in Mirpur against South Africa a month ago in Kanpur, the countdown started in earnest for cricket aficionados to make it a memorable occasion.

Unfortunately, Shakib will not be around on the hallowed turf when the first Test against South Africa begins at 10:00 am today. The biggest star the country has ever produced would probably be watching far away from the USA what could have been his Test swansong.

The saddest part is that the reason for Shakib's forced absence from the Mirpur Test is more political than due to his cricketer identity. The selectors named



him as an integral part of the 15-member squad and he was on his way home to join the training last Friday.

But the 37-year-old all-rounder had to take a U-turn from Dubai on Thursday after Sports Adviser Asif Mahmud told him not to return to the country to 'avoid untoward situations.'

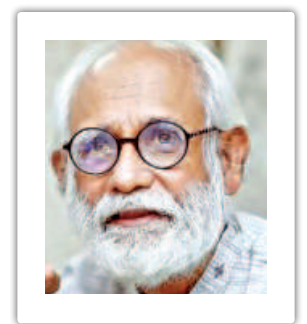
There had been mixed reactions over Shakib's final Test in Mirpur, with a section opposing it for his association with the deposed Awami League government. He was an AL lawmaker from his hometown of Magura.

Shakib has also been accused in a murder case during the student-led mass uprising against the autocratic AL regime in Dhaka on August 22. However, Shakib was not in the country when the killing took place during July-August.

With his brief political affiliation tainting his illustrious cricketer legacy, SEE PAGE 2 COL 7

ZI Khan Panna sued for murder attempt

Complainant does not know him



RAFIUL ISLAM

Eminent lawyer ZI Khan Panna, who backed the student protesters during the mass uprising, has been made an accused in a case over the attempted murder of a demonstrator in the capital.

Panna was among the Supreme Court lawyers who stood for a writ petitioner at the High Court on July 29, seeking orders to stop the use of bullets on the protesters.

He was also a member of a citizen's commission formed to investigate human rights violations and loss of lives during the protests.

Yet, the rights activist now finds himself among the 180 accused in the case filed with Khilgaon Police

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RIGHTS ORGS SLAM CASE AGAINST ZI KHAN PANNA - PAGE 3



PHOTO: FIROZ AHMED

A man wielding a large stick charges towards a protester, who, along with others, gathered at Gate-1 of Sher-e-Bangla National Stadium in the capital's Mirpur yesterday to demand that ace all-rounder Shakib Al Hasan be allowed to play in the first Test match against South Africa, which begins today and was supposed to be his swansong.

Harris, Trump duel over endurance

Celebrities join campaign trail

AFP, Latrobe

Kamala Harris and Donald Trump invited star power to the campaign trail Saturday, as they took shots at each other's endurance and urged early voting in battleground states key to the ever-tightening US presidential race.

At rallies in Detroit and Atlanta Harris brought out pop stars Lizzo and Usher respectively to warm up her crowds, while painting her rival Trump as exhausted and unhinged.

The Republican running for a second go in the White House countered those accusations with a marathon speech in Pennsylvania, as billionaire Elon Musk campaigned for him elsewhere in the state.



Both candidates are fighting on every front to seal up voters' support in a race that polls suggest is effectively tied with fewer than three weeks to Election Day.

Harris told voters in Detroit that her opponent's platform is "self-consuming" while repeating vows

to invest in the working and middle classes.

"We stand for the idea that the true measure of the strength of a leader is not based on who you beat down, it's on who you lift up," said Harris.

Later in Atlanta, Harris, who turned 60 yesterday, accused the 78-year-old Trump of "ducking debates and canceling interviews because of exhaustion."

"When he does answer a question or speak at a rally -- have you noticed he tends to go off script and ramble, and generally, for the life of him, cannot finish a thought?" she said.

"He's called it the weave. But we here we will call it nonsense."

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