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HC questions legality of RPO clause on party symbols

STAFF CORRESPONDENT

The High Court yesterday questioned the legality of a recently amended provision of the Representation of the People Order (RPO) that requires political parties to contest national elections using their own symbols even when they are part of an electoral alliance.

The bench of Justice Fatema Najib and Justice Fatema Anwar issued a rule asking the government and the Election Commission to explain in 10 days why the provision should not be declared illegal and unconstitutional.

The rule came in response to a petition challenging the legality of the amendment.

On November 27, Mominul Islam, secretary general of the National Democratic Movement, filed the petition seeking

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People gather in front of the Evercare Hospital in the capital's Bashundhara Residential Area yesterday to inquire about BNP Chairperson Khaleda Zia's health condition. The former prime minister has been admitted to the hospital since November 23.

PHOTO: PALASH KHAN

28YRS OF PEACE ACCORD Appeals on CHT regional council stuck for 14 years

ASHUTOSH SARKAR

Although 28 years have passed since the signing of the Chattogram Hill Tracts Peace Accord, uncertainty continues over resolving the legal disputes involving the CHT regional council.

Two appeals have remained pending before the SC for about 14 years.

Attorney General Md Asaduzzaman said the appeals are unlikely to be heard soon, as they remain at the bottom of the court's hearing list.

Advocate Md Tajul Islam, currently ICT chief prosecutor and one of the petitioners who challenged the council before the High Court, said he cannot take any steps regarding the appeals until after the upcoming general election due to his workload.

He said state counsels may act if the appeals appear on the hearing list.

Since its formation in 1999, the CHT Regional Council has been functioning under the leadership of PCJSS President Jyotirindra Bodhipriya Larma, popularly known as Santu Larma.

Following two petitions filed by M Badiuzzaman and SC lawyer Tajul Islam on April 13, 2010, an HC bench led by Justice Syed Refaat Ahmed, who is now the chief justice, declared the CHT Regional Council Act 1998 illegal and unconstitutional.

In 2011, the government and the CHT Regional Council filed appeals challenging the HC verdict, arguing that the council is a statutory authority formed to support the three hill district councils and that the law is protected by the constitution as a form of affirmative action for a backward population group.

The HC said in its verdict that the unitary character of the state, a basic feature of the constitution, had been hampered by the council's formation. The council has been operating under an SC order since then.

In 2011, the government and the CHT Regional Council filed appeals challenging the HC verdict, arguing that the council is a statutory authority formed to support the three hill district councils and that the law is protected by the constitution as a form of affirmative action for a backward population group.

On March 3, 2011, the SC upheld the stay order and allowed both parties to proceed with their appeals.

The appeals appeared on the court's cause list on March 6, 2018, but the hearing was adjourned for four weeks.

Barrister Belayet Hossain, lawyer for the petitioners, earlier said a lengthy hearing is required due to the historical, political and constitutional complexities of the case.

He said the HC verdict should be upheld, arguing that the CHT Regional Council is not a local government body but "a kind of mini state within the republic", which undermines the unitary form of government.

‘Publish full BDR report, try all the accused’ Demand families of slain army officers

STAFF CORRESPONDENT

Families of army officers killed in the 2009 BDR mutiny yesterday demanded immediate prosecution of everyone named in the National Independent Investigation Commission's report.

They also urged the government to publish the full report online without delay and ensure security of the victims' families.

The demands were made at a press conference titled "Views of the Families of the Martyrs on the Publication of the BDR Investigation Commission Report," held at the RAOWA Club in Dhaka.

The families said they were pleased that the commission, formed by the interim government, had submitted its report to the chief adviser. They, however, expressed frustration that all names linked to the carnage had not been disclosed.

Advocate Saquib Rahman, son of slain Colonel Quadrat Elahi Rahman Shafique, called on the chief prosecutor to take immediate steps to bring those identified in the report to justice.

"The commission said some names cannot be revealed now. We understand the logic to some extent, but this cannot become an excuse for indefinite delay," he said.

Rakin Ahmed Bhuiyan, son of slain Major General

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When American dream turns into a nightmare

Deported Bangladeshi migrants recount hunger, abuse and shattered hopes

MD ABBAS

Saim Ahmed, 28, from Sylhet, spent Tk 70 lakh a year ago to reach the United States in search of a better life. Instead, he was flown back to Dhaka on Friday on a special US military flight along with 38 others, penniless.

"I used all my father's savings and sold our land. Now I don't know what to do," said Saim.

He said he had trusted two Canada-based brokers, Himel and Borhan, who promised to get him to America and secure a Green Card within six months.

Saim's journey began on November 20, 2024. He was taken to Qatar, then Canada, and finally to the US. He was arrested shortly after entering the country but released after two days. Six months later, he was arrested again and spent three months in a detention centre.

Nur Hossain from Chatkhil in Noakhali had a similar experience. He said he struck a Tk 40 lakh deal with a distant relative named Sohel, but was later forced to pay another

AT A GLANCE
39 deported from the US on Friday
Many spent Tk 35-70 lakh each, selling land, assets
Migrants faced hunger, beatings, confinement
Brokers demanded repeated payments
Most travelled legally to Brazil before entering the US without documents
Over 220 Bangladeshis deported from the US this year

Tk 25 lakh to reach the US.

Nur travelled through Brazil, Peru and Bolivia before reaching Colombia, where he and others were confined to a house for 28 days with little food. When they demanded better conditions, brokers moved them again.

In Guatemala, they were locked in a room, beaten and left hungry. Their passports were taken away. After 42 days, the brokers threatened to shoot them if they did not leave. Out of money, Nur and five others made a new deal with a Bangladeshi Mexican broker who took Tk 6 lakh from each of them.

Once in Mexico, they were handed over to yet another group. As soon as they crossed the US border on December 3 last year, they were arrested. Nur spent more than 10 months in different US prisons and returned on November 28 with nothing. In total, he spent around Tk 65 lakh.

"In every country, brokers sent photos and numbers of local agents on WhatsApp. Each step required new payments," he said.

Both Saim and Nur said they only wanted a better future, but instead endured fear, hunger and confinement before deportation. "We trusted them and lost everything. Our money, time and hope, everything is gone. No one should face this," Nur said.

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Protester accuses Inu of inciting attacks ICT hears first witness in crimes against humanity case

STAFF CORRESPONDENT

A student protester who was shot in the forehead during the July uprising in Kushtia made a haunting plea to fellow demonstrators as he was being rushed to the hospital. "If I die, do not bury my body, let it join the victory march," he said.

The victim, Md Raisul Haque, then a third-year degree student at Kushtia Government College, recounted this before the International Crimes Tribunal-2 yesterday as the first prosecution witness in the case against Jatiya Samajtantrik Dal (Inu) faction president and former minister Hasanul Haq Inu, who is charged with crimes against humanity.

Pointing to the scar left by a shotgun pellet, the 26-year-old said on July 18, he and 300 to 400 protesters had gathered in front of the DC court, where they came under attack by the Detective Branch of police assisted by activists of the Chhatra League and Awami League.

"As the movement escalated, law enforcers fired tear shells, and at that moment a shotgun pellet struck my forehead," he said, adding that he was taken to hospital immediately.

Raisul testified that between August 3 and 5 last year, processions of thousands, sometimes up to 6,000, came under repeated attacks.

He alleged direct involvement of the then-ruling party affiliates alongside law enforcers. He accused Kushtia-2 lawmaker Inu of instructing and inciting the attacks.

SEE PAGE 9 COL 2



Smoke and sparks rise after a fire broke out on the third floor of a three-storey residential building in Old Dhaka's Chawkbazar area yesterday. It took more than an hour for seven units from Lalbagh, with support from Palashi, Hazaribagh and Siddiq Bazar fire stations, to douse the blaze. The cause of the fire could not be known immediately. No casualties were reported.

PHOTO: STAR

Why Kaler Kantho declaration should not be cancelled: HC

STAFF CORRESPONDENT

The High Court yesterday ordered relevant authorities to explain why the permit of Kaler Kantho, a Bangla newspaper owned by Bashundhara Group, should not be cancelled.

The court also ordered that all outstanding dues of 11 former journalists be paid in 15 days.

An HC bench of Justice Fatema Najib and Justice Fatema Anwar issued the order following a petition filed by the 11 journalists, said Barrister Manzur Al Matin, who appeared for the petitioners.

On October 13, the journalists, who were either terminated or resigned from Kaler Kantho, filed the petition after Kaler Kantho's cheques bounced.

Respondents to the rule include the secretary of the information ministry, chairman of Bangladesh Press Council, deputy commissioner and district magistrate of Dhaka, Bashundhara Group Chairman Ahmed Akbar Sobhan, Managing Director Sayem Sobhan Anvir, and Kaler Kantho Publisher Moynal Hossain Chowdhury.

The petitioners had earlier served a legal notice on August 17.

Subsequently they filed a writ petition with the HC since the relevant authorities had not taken any action.