

Police shot Mohammad Shah Alam dead in Dhaka city's Pallabi area

Fact Finding Report

Odhikar

On December 31, 2012 at around 8:15pm, members of the Pallabi Police station shot Mohammad Shah Alam (28) dead in front of H and S Polythene factory at Plot 1/6 on Road 7, Section 7 of the Post Office Street. Shah Alam was the son of Mohammad Ali Akbar and Morjina Begum. They were residents at Jheelpar slum on Milk Vita road under Pallabi Police Station in Dhaka city. Shah Alam worked as a car washer at a workshop. There was no case or General Diary (GD) filed against Shah Alam in any police station. The police filed two cases against him after his death under the Arms Act, 1878 and the Explosive Substances Act, 1908. In both cases they mentioned him as a 30-year-old in the First Information Report (FIR) although according to his national identity card he is 28 years old.

Odhikar carried out a fact-finding mission into the incident. During the mission Odhikar interviewed:

- Shah Alam's relatives
- The post mortem doctor
- Morgue Assistant and
- Members of the law enforcement agencies



Photo: Mohammad Shah Alam and his National ID card.

Urmi Akhter Koli (20), Shah Alam's wife:

Urmi Akhter Koli is a worker at a garments factory. She informed Odhikar that Shah Alam was a car washer at an automobile workshop at Mirpur. They have a two and a half year old daughter. On December 31, 2012 at around 7:00am, she went for work. Shah Alam was home at the time. She returned home at 8:00 pm and waited for Shah Alam to come home with groceries. When Shah Alam did not return till late at night, she informed her father-in-law Ali Akbar and mother in-

law Morjina Begum, who live in the same slum. Her in-laws searched him in many places but were unable to find any trace of Alam.

The next day on January 1, 2013, at around 12:00pm she was called by her father in law out of her workplace and given the news that the police shot her husband to death. His body was in the morgue of Dhaka Medical College Hospital. However, she could not find out how and where the police killed her husband. On January 2, 2013 her father in-law brought Alam's body home from the morgue of Dhaka Medical College Hospital. She demands justice for the murder of her husband.

Mohammad Ali Akbar (55), Shah Alam's father:

Mohammad Ali Akbar told Odhikar that Shah Alam worked at an automobile workshop in Mirpur as a car washer. On December 31, 2012, at around 11:30pm, he heard from his daughter in-law Urmi Akhter Koli that Alam went out and did not return home. He searched for Alam at their relatives' as well as in other peoples' houses but could not find him anywhere.

The next day at around 8:00am Shamim Ahmed, a friend of Shah Alam, informed him that an unknown man called him on his mobile phone and told him that Alam was at Dhaka Medical College Hospital. The man immediately cut the line after saying that and switched off his phone.

In the next hour, Ali Akbar with his wife and Shamim Ahmed rushed to Dhaka Medical College Hospital. When they could not find Shah Alam searching him at the hospital wards, they went to the morgue and found Shah Alam's body lying on the floor. He noticed a gunshot wound on Alam's left thigh and another gunshot on the left side of his chest. At that time a policeman told him that the body will be handed over to them once the post mortem is complete. He waited beside the morgue the whole day. At around 5:00pm the policeman told him that the post mortem could not be performed that day because the doctor was not available. Akbar went back home that day. On January 2, 2013, at around 10:00 am he again went to the morgue of Dhaka Medical College Hospital to take the body. The post mortem of the body was completed at noon that day. The morgue assistant took Tk 500 from him committing to hand him the body. The police handed Alam's body over to him at around 3:30pm. He hired an ambulance for Tk 1600 and took the body home. Two police vans with members of Pallabi Police Station escorted the ambulance. After performing the bathing ritual on the body at around 6:00pm, Alam was buried after the Janaza¹ at Jannatul Mawa graveyard at Section 11 in Pallabi at around 7:00pm. The police left after the burial was over. Akbar said, he is a very poor man and earns a meager amount

¹ Janaza is a kind of religious ritual for completion of the burial ceremony.

by selling vegetables on the footpath. He lives in a slum. He demands justice and wishes to file a case for the killing of his son.

Jiyasmin Akhter (18), Shah Alam's niece and neighbour:

Jiyasmin Akhter informed Odhikar that on December 31, 2012 at around 5:20pm somebody called Shah Alam on his mobile phone and asked him to go somewhere. Alam left the house while talking on the phone. The next day at around 12:00 pm she learnt from Alam's father Mohammad Ali Akbar that the police shot Alam to death. Jiyasmin suspects it might have been the police who called him on the mobile phone and told him to go to somewhere and then killed him once he arrived there.

Saidur Rahman (48), tea-stall keeper, Post Office street, Section-7, Road-7, Mirpur Residential Area, Pallabi, Dhaka:

Saidur Rahman told Odhikar that on December 31, 2012 at around 8:00pm he heard a gunshot from the west side of his tea-stall. He saw that there were five policemen and a white microbus in front of H and S Polythene factory. The police dragged a man into the microbus and shut the door. When a few people came forward, the police stopped them. Later they told the people present there that the police had a gunfight with muggers and they caught one of them. The police quickly left the place on the white microbus.

Sub- Inspector (SI) Mohammad Enamul Haque, Pallabi Police Station, Dhaka Metropolitan Police, Dhaka:

SI Mohammad Enamul Haque informed Odhikar that on December 31, 2012 at around 7:55pm Officer in-Charge (OC) Abdul Latif Sheikh got information from a source and told him that some unknown goons were meeting in front of H and S Polythene factory on plot 1/6 on road-7, section-7 of Post Office Street in Pallabi. They were gathering there to kill an owner of a Garments factory. On the tip off, he arrived with his force at the place at around 8:15pm. At around 8:25pm he saw three young men coming towards H and S Polythene factory and he stopped them. When the three young men sensed the presence of police, they opened fire and hurled bombs aiming at the police. The police also fired at them. At one point the goons fled the scene. The police went forward and found one of the miscreants lying on the ground with blood on his body. The man was holding a revolver with his right hand. Enamul asked for his identity. The injured person identified himself as Shah Alam and lost his consciousness. He then created a seizure list and sent an injured Shah Alam to Dhaka Medical College Hospital for treatment. After returning to the police station he filed two cases against Shah Alam, mentioning his age 30 years with father's name and address unknown. Two other unidentified persons were implicated in the cases.

The first case number is 54; date: 31/12/2012. Section 19-A² of the Arms Act, 1878. The second case number is 55; date: 31/12/2012. section 353/332/333/302³ of the Penal Code, 1860 along with section 3/4⁴ of the Explosive Substances Act, 1908. He said that the investigation officer of both the cases is SI Abdul Aziz.

SI Abdul Aziz, Pallabi Police Station, Dhaka Metropolitan Police, Dhaka:

SI Abdul Aziz told Odhikar that on December 31, 2012 SI Mohammad Enamul Haque filed two cases at the Pallabi Police Station. The case numbers are 54 and 55. The doctors in the meanwhile declared Shah Alam dead. He prepared the inquest report of the body. In the report he mentioned that there was a gunshot wound on the left of Alam's chest and another gunshot wound on the left thigh. After the completion of the post mortem he returned the body to the family. He informed that there are no cases or general diary (GD) against Shah Alam in any police station. As the two cases are under investigation he refused to say anything more.

The doctor who performed the post mortem (unwilling to disclose name), Assistant Professor, Department of Forensic Medicine, Dhaka Medical College Hospital, Dhaka:

The doctor informed Odhikar that on January 2, 2013, he performed the post mortem on the body of a man named Shah Alam. He mentioned in the post mortem report that Shah Alam died after he was shot. He was unwilling to speak more about the matter.

Sekendar, Morgue Assistant, Dhaka Medical College Hospital, Dhaka:

Sekendar told Odhikar that on December 31, 2012 at around 11:30pm, members of Pallabi Police Station brought the dead body of a man named Shah Alam into the morgue. Since the doctor was not present on January 1, 2013, the post mortem of the body was carried out on January 2, 2013 [whose number is 8.] He saw that there were two gunshot wounds on the body, one on the left thigh and one on the left side of the chest. At around 3.30 pm Shah Alam's father Mohammad Ali Akbar took the body away.

² Section 19A of the Arms Act, 1878 stated for breaches of sections 6, 13, 14 and 15 in respect of certain arms.

³ Sections 353,332,333 and 302 of Penal Code, 1860 stated about:

Section 353- Assault or criminal force to deter public servant from discharge of his duty.

Section 332- Voluntarily causing hurt to deter public servant from his duty.

Section 333- Voluntarily causing grievous hurt to deter public servant from his duty.

Section 302- Punishment for murder.

⁴ Section 3 of the Explosive Substances Act, 1908 stated about punishment for causing explosion likely to endanger life, person or property and section 4 stated about punishment for attempt to cause explosive or for making or keeping explosive with intent to endanger life or property.

Hafez Nur Ullah, Jannatul Mawa graveyard, section-11, Block-A, Main road number 3, Pallabi, Mirpur, Dhaka:

Hafez Nur Ullah informed Odhikar that on January 2, 2013, evening a man named Mohammad Ali Akbar called him to his house. He bathed the body of a man named Shah Alam. He saw that there was a gunshot wound on the left knee and another gunshot wound on the left side of the chest. There was also a bruise near the left eyebrow. Other than that there were no other marks.

Odhikar's view: Although the Bangladesh government gave the assurance that they will stop extrajudicial killings, in 2012 there were 70 cases of extrajudicial killings reported. The killings in the country continue to occur with little accountability of the law enforcement agencies observed. As a result law and order and the judicial system have become compromised and the society is finding a culture of impunity. Odhikar demands that the police officers involved in the killing of Shah Alam be brought under trial and punished.

-End of report-