

\IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. .... OF 2011.

IN THE MATTER OF:

An application under Article 102 of the Constitution  
of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Public Interest Litigation (PIL).

AND

IN THE MATTER OF:

1. Human Rights and Peace for Bangladesh (HRPB),  
represented by its Secretary Advocate Asaduzzaman  
Siddiqui, Hall No. 2, Supreme Court Bar Association  
Bhaban, Dhaka, Bangladesh.
2. Advocate Sarwar Ahad Chowdhury, Hall No. 2,  
Supreme Court Bar Association Bhaban, Dhaka,  
Bangladesh, and 3/14 Bashbari Bosila Road,  
Mohammadpur, P.S.: Mohammadpur, Dhaka.
3. Advocate Md. Aklas Uddin Bhuiyan Publicity  
Secretary of Hall No. 2, Supreme Court Bar  
Association Bhaban, Dhaka and 33 Abdul Hadi Lane,  
Police Station Kotwali, District- Dhaka, Bangladesh.  
.....Petitioners.

**-V E R S U S-**

1. Bangladesh represented by the Secretary,  
Ministry of Finance, Bangladesh Secretariat Building  
no.7(3<sup>rd</sup> floor), P.S. Shahbag, Dhaka – 1000,  
Bangladesh.
2. Bangladesh Bank, represented by The  
Governor, Bangladesh Bank Head Office, P.S.  
Motijheel, Dhaka, Bangladesh.
3. The Joint Secretary (Banking Administration),  
Ministry of Finance, Bangladesh Secretariat,  
Building no.7 (3<sup>rd</sup> floor), P.S. Shahbag, Dhaka –  
1000, Bangladesh.
4. The Joint Secretary (Banking Policy),  
Ministry of Finance, Bangladesh Secretariat,  
Building no.7 (3<sup>rd</sup> floor), P.S. Shahbag, Dhaka –  
1000, Bangladesh.
5. The Joint Secretary (Banking Monitoring),  
Ministry of Finance, Bangladesh Secretariat Building  
no.7 (3<sup>rd</sup> floor), P.S. Shahbag, Dhaka – 1000,  
Bangladesh.  
.....Respondents.

**GROUND S**

I. For that it is unprecedented that two different notes with diverse value is printed on identical paper, size, shape, and indistinguishable security marks. Due

to this the economy of the country is being threatened and people are deceived by super counterfeits which cannot be easily detected.

II. For that due to the negligence of the respondents few dishonest persons have got an opportunity to create super counterfeits which cannot be easily detected and thus the economy and the interest of the citizens are being seriously endangered.

III. For that the respondents are duty bound at all time to serve the people and to perform the public duties. But they have failed to do their duty because they have failed to take steps against counterfeiting of the bank note.

IV. For that as the 500 taka counterfeits are made on 100 taka bank note so the security marks are authentic, so these notes cannot be identifiable even in machines on bank to identify counterfeit. So these counterfeit also can be found in sealed bundle obtained by the counters and in ATM machines of all banks and peoples receives it in honest believe thus being defrauded.

V. For that because it is impossible for any common citizens to distinguish between the real bank note and counterfeit, they receives these counterfeit in honest mistakenly. However whenever a person submit these counterfeits in any bank counter and if they could identify those notes as counterfeit they “red marked” these notes. With due respect it required to emphasize that 500 taka bank note is a high amount, so in such case peoples are suffering massive loss. So there should be easily distinguishable security marks which can easily be identified by general people.

Wherefore, it is most humbly prayed that Your Lordships would graciously be pleased to;-

a) Issue a Rule Nisi calling upon the Respondents to show cause as to why inaction of the respondents to take necessary steps to stop counterfeiting of Bangladesh currency bank notes should not be declared illegal and without lawful and why a direction should not be given upon the respondents to take steps to print Bangladesh currency notes in dissimilar size and shape; and with dissimilar security marks in order to avoid counterfeiting the Bangladesh currency notes.

b) Pending hearing of the rule directs the respondent no. 2 to submit a report before this Hon’ble Court within 4(four) weeks about the recommendation of the Bangladesh bank to stop counterfeit of different kinds of Bangladesh Currency Notes.

### **Present Status**

The case was filled and moved by Advocate Manzill Murshid, President, HRPB. After hearing the parties the Hon’ble Court issued Rule Nisi upon the respondents and granted ad-interim order. The matter is pending before the Hon’ble High Court Division.

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