

IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
SPECIAL ORIGINAL JURISDICTION

WRIT PETITION ON ..... OF 2015

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. Nasreen Ahmed, wife of Ferdous Ahmed and daughter of Sufia F. Hossain of 9/9, Ring Road, Barabo Mohonpur, Adabar, Mohammadpur-1207, Dhaka, Bangladesh.

.....Petitioner.

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

1. Bangladesh represented the Cabinet Secretary, Cabinet Division, Bangladesh Secretariat, Dhaka, Bangladesh.

2. The Principal Secretary, Prime Minister's Office, Tejgaon, Dhaka, Bangladesh.

3. The Secretary, Ministry of Public Administration, Bangladesh Secretariat, P.S - Shahbag, Dhaka.

4. The Secretary, Ministry of War & Liberation Affairs, Bangladesh Secretariat, P.S - Shahbag, Dhaka.

5. The Secretary, Ministry of Foreign Affairs, Segunbagicha, Dhaka, Bangladesh.

6. Mr. Golam Mostafa, Former Additional Secretary, Ministry of War & Liberation Affairs, Bangladesh Secretariat and Ministry of Public Administration, Bangladesh Secretariat, P.S - Shahbag, Dhaka.

7. Mr. Abul Kashem Talukdar, Former Joint Secretary, Ministry of War & Liberation Affairs, at present Ministry of Public Administration, Bangladesh Secretariat, P.S - Shahbag, Dhaka.

8. Mr. Enamul Kader Khan, Deputy Secretary, Ministry of War & Liberation Affairs, Bangladesh Secretariat, Dhaka, Bangladesh.

9. Dhaka Divisional Commissioner, Dhaka,  
Head of the investigation Committee,  
Segunbagicha, Dhaka, Bangladesh.

.....Respondents.

### **GROUNDS-**

I. For that the corruption as regards calling tender for the purpose of purchasing crests for 'Foreigners who contributes in Liberation War' has been done by some unscrupulous people who have tarnished the image of Bangladesh to the world. Hence, to recovery of that lost image, it is urgent to make the crests (as per specification) and send the same to them through the respective High Commissions of Bangladesh situated in those countries.

II. For that the corruption and offenders being primarily identified and proved by the Investigation Committee and need to taking appropriate actions against them.

III. For that the said project there was huge public money involved in the matter for which the Government had to pay a huge amount of money to the supplier for the said crests of the low quality products. Hence, it is urgent to recover the bill paid to the supplier of the said crests and make new crests and send them to the foreign liberation war heroes accordingly.

IV. For that the persons involved in the calling of tender and the purchase of the crests have done their jobs in violation of the government policy for preparation of the crests for the foreign friends and that the quality and quantity/weight of gold for the crests has not been maintained by the people concerned. Hence, in the said context, the offenders should be punished by the law for their corruption and the fraud as well. But without giving new crest (as per specification) to them the image of the Country could not be maintained. Hence a direction should be given upon the respondents to take steps for giving new crest to the 'Foreigners who contributes in Liberation War'.

V. For that the offenders have done corruption with intent. For that to stop the repetition of these offences, they should be treated in accordance with law.

VI. For that the persons involved with the projects have misappropriated the public fund and have made some low quality crests with least gold and *rupa* to fulfil their personal greed. Hence, the "Purchase Committee" as formed under the authority of the National Committee can not avoid their responsibility for the corruption in any way.

VII. For that corruption is an offence as per the law of the land. Hence, the corruption being published and primarily proved by the Investigation Committee, the offenders should be treated by the law for their corruption.

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 a direction should not be given upon the respondents to take steps for recovery of bill paid to the supplier company(s)

for making crests which were given to 'Foreigners who contributes in Liberation War' ,

And

Why a direction should not be given upon the respondents to make new crests (as per specification) and send the same to the 'Foreigners who contributes in Liberation War' through the respective High Commissions/Embassies of Bangladesh situated in those countries.

b) Pending hearing of the rule direct the respondent no. 4 to submit all Reports as to the corruption involving in making the crests which were given to 'Foreigners who contributes in Liberation War' as prepared by different committee through affidavit within two weeks.

c) Direct the office to serve notices upon the respondents at the cost of office.

**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. The matter is pending before the Hon'ble High Court Division.

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