

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

**Writ Petition No. 7407 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

**Rehana Ali**

.....Petitioner

**-VERSUS-**

Bangladesh, represented by the Secretary,  
Ministry of Education and Others

..... Respondents

**Mr. Manzill Murshid** Advocate

.....for the petitioner.

**Ms. Kazi Zinat Huq D.A.G** with

**Mr. Shams-ud Doha Talukder A.A.G**

.....for the Respondent.1

**Mr. Masud Ahemd Sayeed** with

**Mr. Sayed Ejaz Kabir** Advocates

.....for the Respondents No.5

**Mr. A.B.M Bayezid** Advocate

.....for the Respondent No.6

Hearing on 25.01.2012, 29.2.2012 and  
9.5.2012

**Judgment on 24.05.2012 and 27.05.2012**

**Present:**  
**Mr. Justice Tariq ul Hakim**  
**and**  
**Mr. Justice Md. Faruque (M. Faruque)**

**Tariq ul Hakim, J**

Rule Nisi has been issued calling upon the respondents to show cause as to why failure to take necessary legal action against the institution, which is allegedly restoring to fraud against the students in pretext of conferring U.K. law decrees, without having any affiliation/ approval of any authentication University of the United Kingdom should not be declared illegal and without lawful authority and why a direction should not be given upon the respondents to prepare a guide line for controlling the fraud purported by unauthorized educational instructions in the pretext of providing foreign law degrees and and/or pass such other or further order or orders as this Court may seem fit and proper.

This is public interest litigation.

It is stated that the petitioner, a conscientious and law abiding citizen of Bangladesh was a student of Chancery Academy of English Law, an institution owned by the Respondent No. 5. The petitioner and her husband got admitted to the said Academy by playing approximately Taka ten Lac through Bank cheques as fees; because of the friendly relationship of the petitioner with the Respondent No. 5, the Academy did not provide them any receipts for the money. After completion of their first year of study Respondent No. 5 awarded them Certificates of Diploma in Law. Being suspicious the petitioner enquired about the Academy but found no definite and satisfactory reply from U.K. authorities. Examinations of U.K. Universities are normally conducted by the British Council and Certificates of British Council and Certificates of the British Universities Degree are delivered through the British Council. In the case of Chancery Academy of English Law all the examination questions are allegedly send by e-mail from the University of Williamsburg to Chancery Academy of English Law and the examination papers after being scanned are sent back to the University by e-mail for gradation. It is further stated that when the U.K. authorities were asked to verify the petitioner's Certificates they failed to trace their authenticity; thereafter the petitioner sent an e-mail to the Bar Standards Board London enquiring about the status of Williamsburg University and whether she could get herself

admitted to study and qualify for the English Bar. The bar Standards Board asked the petitioner to contact U.K. NARIC but NARIC informed her that the L.L.B. degree of Williamsburg University was not approved by the Bar Standards Board. She was further advised to contact the University of Manchester; regarding the authenticity of the Certificates provided by the respondent No. 5 and when contacted the Senior International Officer of the University of Manchester confirmed that the said University had no agreement with anybody regarding conducting L.L.B. Course and giving Certificates in Bangladesh. She also confirmed that the University of Manchester had nothing to do with the Chancery Academy of English Law or the Respondent No. 5. The Petitioner thereafter made further inquiries and come to know about the Universities and Colleges in the U.K. which was approved by the Council of Education U.K. but that list did not include the name of Williamsburg University, thus confirming that such University did not exist.

It is further sated that a report in the daily "Manob Zamin" on 31<sup>st</sup> July, 2011 contained an article about Chancery Academy of English Law; Respondent No. 5 was defrauding students in the name of education. It has been further stated that the Respondent No. 5 invited Senior Judges of the Supreme Court, the Education Minister, Vice Chairman of the Bar Council and others to a "Convocation" Ceremony where Certificate of Williamsburg University were handed over recently.

It is further stated that the Petitioner has also a criminal case at Dhanmondi Police Station against the Respondent No. 5 for cheating and the same is under investigation. It is further stated that many students are getting cheated by the Respondent nos. 5 and as such the respondent no. 1-4 being in the service of the republic have a duty to take steps so that the public do not get defrauded. It is further stated that the Respondent No. 5 is cheating many innocent people like the petitioner by extracting huge amount of money from them in exchange on giving false Certificate of U.K. university including the University of Williamsburg U.K. due to the inaction of the Respondent Nos. 1-4. Being cheated herself the Petitioner claims to represent similar members of the public and his come to this Court and obtained the present Rule.

The Respondent No.5 has filed Affidavit-in-Opposition, Supplementary Affidavit-in-Opposition and a number of pleadings

denying the material allegations in the Writ Petition and is contesting.

This Rule alleging inter alia that the Respondent No.5's institution Chancery Academy of English Law provided her tuition whereby she was conferred Diploma in Law certificate of Williamsburg University and whereby her contention that she lost her valuable education years is false and baseless. It is further stated that Chancery Academy of English Law was started in 2003 for imparting education on English Law in Bangladesh through distance learning programs and since its inception it has been offering distance learning L.L.B. degrees of the University of London, University of Northumbria and University of Williamsburg with name and fame. It has successfully produced hundreds of law graduates who are practicing law either in local or in jurisdiction and as such the question of thousand of students being defrauded by the Respondent No.5 through distance learning program is not true. It has been further stated that the Respondent is not offering L.L.B. degree of the University of Manchester, U.K. but offering assignment based distance learning L.L.B degree of the University of Williamsburg a well reputed U.K. University situated at the heart of the City of Manchester, U.K. Piccadilly, Manchester (MI ZHX) whose distance learning L.L.B programs is recognized all over the world. The respondent no denied the petitioner's paying Taka ten lac as tuition fee to Respondent No.5 and that not having any receipt for such huge amount of money her claim is not sustainable. It has been further stated that UPP Universities are offering assignment based distance learning programs in all over the world but the petitioner being unfamiliar with the things that the certificates offered by the University are false and fabricated. It has been further stated that the University of Williamsburg is an U.K. University under the University Development Program (UDP) and there are several other Universities under the U.D.P. operating in more that 80 countries of the world for more than a decade and that there are around 8000 students all over the world accomplishing their degrees from the University of Williamsburg. It is further stated that the Respondent No. 5 or his institution has committed no crime with the students and that the allegation against the Respondent No. 5 being a disputed question of fact the instant Rule is not maintainable.

The petitioner in his Affidavit-in-reply has stated that she is innocent victim of the fraudulent and deceptive operation of the Respondent No. 5 and that she was awarded the Diploma certificate from a fake

University named Williamsburg University. It is further stated that the so-called Williams University which is owned by Global had not given any authority to the Respondent No. 5 to provide distance learning on online degrees and the onus is upon the said respondent to prove that such authority has been given to the said respondent no. 5. It is further stated that even e-mail site of the University there is no details regarding staffs and office of University as well as even the curriculum which is pursued by the said University and that if it is U.K. University and why the Respondent No.5 is unable to show permission from U.K. Government for such institution. It is further stated that the British Council was approached by the petitioner and they were also unable to comment as to the existence Williamsburg University in the U.K. which indicates that such institution does not exist. It is further stated that the Respondent No. 5 needs to get proved of his pleading that his institution or Williamsburg University has got authority from Apollo Global for that Williamsburg University is operating in every countries or that he has an authorization from Williamsburg university to provide coaching/tuition. It is further stated that there is no list of faculty of the same Williamsburg University on its website although the Respondent No.5 himself has got list of faculty for his Chancery Academy of English Law. It does not also provide details as regards staffs of the University and its office. It has been further stated that Williamsburg University not a foreign University at all but a fake institution and the Respondent No.5 running Chancery Academy of English Law to deceive the students and misappropriate their money. It is further stated that the list of the students provided by the Respondent No. 5 who have studied at his Chancery Academy of English Law does not prove the existence of Williamsburg University and that the said students may be studying for degrees of Northumbria and London Universities.

In another Supplementary Affidavit the petitioner has annexed Annexure M which shows that there are 157 institutions in the U.K. having degree awarding powers recognized by the U.K Government but among these 157 institutions, the name of Williamsburg University does not appear which indicates that it is not a British University and does not any degree awarding authority and is not recognized by the U.K. Department of Business, Innovation and Skills.

The Respondent No. 1 in its Affidavit-in-Opposition has stated that after receiving a copy of the Rule and interim order of this Court it

constituted a committee to monitor the educational institutions of the Dhaka City providing tuition for overseas law degrees and it has submitted a Report along with recommendations to the said Ministry.

In Supplementary Affidavit the Report is annexed as Annexure III which shows that the committee was formed by Professor Dr. Muhibur Rahman as Member of Convener, Professor Abdul Mannan Akhand as member, Professor Md. Habibur Rahman as member, Professor Dr. Shaid Akhter Hossain as Member, Professor Dr. Yousuf Ali Mollah as Member, Professor Dr. Farid Uddin Ahmed as Member, Joint Secretary (University) as Member and Md. Khaled as Member Secretary.

In the Report it is stated that the committee visited 12 institutions in Dhaka City and found that they were providing tuition in the name of coaching for higher degrees of foreign Universities. It is further stated that none of these institutions entered into any agreement with the government and were providing Coaching/ tuition at their own initiative. Regarding some of these institutions the committee made the following comments "Looks like a fake organization". "It's not bad as a coaching center/ tuition provider" "A vibrant and promising organization with enough infrastructure and effective man power" "It seems the colleges is under good management." In the case of the Respondent No. 5's institution it has been described as "Completely a fake Organization". There is no way that the place can be characterized as a school or even a coaching center." The said report was subsequently published in the daily Newspaper as a public notice in compliance with this Court's order. The Respondent No.6 however does not appear to have taken any further steps. The relevant portion of the report is reproduced.

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Mr. Manzill Murshid, the learned Advocate for the Petitioner submits that the respondents except the Respondent No. 5 are public servant and they are under a duty to monitor the activities of the educational institutions providing tuition to the members of public in the name of coaching for higher degrees and take steps against the fraudulent institutions who have not complies with the law. The learned Advocate further submits that in the instant case said respondents have not taken any steps against the Respondent No. 5 or his institution Chancery Academy of English Law which is committing fraud and forgery against the students and the members of the public. The learned Advocate for the petitioner further submits that the Respondent No.5 has provided false Certificates to the petitioner and committed a crime under the Penal law and the respondent nos. 1-7 have failed to take appropriate steps against the Respondent No. 5 by shutting down their Academy and such willful inaction and neglect of the respondents should be declared unlawful. The learned Advocate further submits that every students who gets admitted to a institution providing tuition for U.K. Degree has a legitimate expectation that he will obtain a degree from a U.K. University and the Respondent Nos. 1-4 are under a duty to take appropriate steps so that such students are not defrauded while they have filed in the instant case.

Ms. Kazi Zinat Huq D.A.G with Mr. Mr. Shams-ud Doha Talukder A.A.G. appearing on behalf of the Respondent No. 1 submits that the Government has complied with the interim order of this Court by constituting a 8 member committee under the head of a Member University Grants Commission, to investigate into the activities of the institutions providing U.K. law degrees in Dhaka City including the institution of the Respondent No. 5 and has submitted a report to the Government a copy of which is annexed as Annexure III. The learned Deputy Attorney General further submits that under Private University Act, 2010 permission has to be obtained from the Government by all the institutions providing University degrees and since no such permission was obtained by the respondent No. 5 he may be dealt with in accordance with law.

Mr. A.B.M. Bayezid, the learned Advocated for the added Respondent No. 6 University Grand Commission submits that the Respondent No. 5 along with several other institutions are providing coaching/ tuition for foreign U.K Law degrees in Dhaka



City without taking permission from the Government in breach of sections 3 and 39 of the Private University Act,2010. The learned Advocate therefore submits that although some institution are functioning by obtaining interim orders from the High Court Division pursuant to Writ Petitions field by them, the Respondent No. 5 does not have any such Court order in its favour and as such is operating totally unauthorized. The learned Advocate further submits that the certificate of Diploma awarded by the Respondent No. 5 on behalf of the Williamsburg University is totally false and there is no such institution by the name. The learned Advocate has also referred to different misrepresentations by the Respondent No. 5 and submits that this institution should be shut down.

In replay to all these allegations, Mr. Masud Ahmed Sayeed with Mr. Syd Ejaz Kabir the learned Advocate for Respondent No. 5 submits that Williamsburg University operates in 80 countries of the world. He has drawn our attention to Annexure "n" a brochure of Appollo Global wherein in the heading it says, "studied in the U.S.A. studied in the U.K. , studied in the world" and submits that the said University operates course in number of subjects. He has also submitted that communication is made by University and the Respondent No. 5 through the Internet; questions papers are sent to the Respondent No. 5 through the internet; after the students complete their assignments they are sent to the University by the respondent No. 5 through the internet. The learned Advocate further submits that due to the advancement of technology, this is one of the latest forms of obtaining University education and more than 8000 people around the world are registered with the said University and being provided education in this way. He further submits that the certificate awarded to the petitioner is genuine. The learned Advocate strongly disputes the maintainability of the instant Writ Petition on the ground that it concerns disputed questions of fact which cannot be settled in this writ jurisdiction. He further submits that since there is a Criminal case filed by the petitioner against the Respondent No. 5 and as such the petitioner should not be allowed to pursue his grievance in two forum simultaneously. The learned Advance further submits the Williamsburg University is located in the City of Manchester, U.K. and that even though its name does not appear in the lists of recognize bodies in U.K., nevertheless it exists with degree awarding powers. In this regard he has drawn our attention to a certificate attested by the British Council (annexure X-14) and claims that the certificate is genuine and the University exists

otherwise the British Council would not have attested the certificates. Finally the learned Advocate submits that the insult matter is an issue between the Writ Petitioner and the Respondent No.5 and cannot be called a public interest litigation and as such the Rule liable to be discharged on that ground alone.

Mrs. Rabeya Bhuiyan of Bhuiyan Academy, Mr. Khaled Hamid Chowdhury of Landon College of Legal Studies (South), Ms. Fatema Anwar of Dhaka Center for Law and Economics as well as Mr. Z.I. Khan Panna of Bangladesh Bar Council with the leave of this Court have addressed us to assist this Court on this matter. All of them excepting Mr. Z.I. Khan Panna have submitted that their institutions are providing for the L.L.B. degrees of the University of Landon. The degree is an external one and the students have to get themselves admitted to the Universities on their own initiative on payment of tuition fees. The British Council arranges for the L.L.B. examination each year strictly under supervision. Question papers are from the University of Landon to the British Council and after the examinations complete their answer on the answer script they are sent back to the University through the British Council for gradation. The examinations of L.L.B degree are held all over the world on the same day on the same subject and the institutions that provide tuition have got nothing do to with the same. After successfully, completing three/ four years of study and only after obtaining requisite grades in written examinations the University awards the degrees to the students. The Certificates are sent through the British Council and handed over to the successful students. The institutions providing coaching have no control over the matter and the students are at liberty to join or leave any institution at the free will.

Mr. Khaled Hamid Chowdhury, the learned Advocate pointed out that they had applied on 9.3.2009 and again on 9.11.2010 to the Government for permission to provide tuition for L.L.B. Degree of London university but the Deputy Secretary of the Ministry of Education in his reply dated 9.3.2009 said that there was no scope for providing permission in the present set up. He further submits that institutions providing coaching/ tuition of L.L.B. degree of Landon University filed Writ Petitions against the notices issued by the Government and obtained interim orders from the Court to continue. It has been pointed out by the learned Advocate that section 3(2) and 3 the Private University Act requires permission from the Government set up any institution to provide coaching/

tuition for any Diploma or any degree. Similarly section 39 of the said states that none is allowed to provide coaching/ tuition for foreign degrees without prior permission of the Government Section 39(2) of the said Act says that the Government will frame rules to give effect to the aforesaid provisions. Since Rules have not yet been framed, the learned Advocate submits that their respective institutions are providing coaching/ tuition and the Government under the said Act had got no authority to interfere. All the learned Advocates are however of the opinion that the Government should frame guidelines or rules which the institutions will be bound to comply.

Mr. Z.I. Panna Khan, the learned Advocate appearing on behalf of the Bangladesh Bar Council submits that although certain candidates with law degree from Williamsburg University were allowed to enroll as Advocates by the Bangladesh Bar Council it was not on the basis of degree from University of Williamsburg but because of having a Bachelor degree in law from some other University. He categorically submitted that the Bangladesh Bar Council does not recognize the Bachelors degree of Williamsburg University for being eligible to qualify as an Advocate.

Here the learned Advocates, perused the Writ Petition, Supplementary Affidavits, Affidavits-in-Opposition, Supplementary Affidavits-in-Opposition, Affidavit-in-replay and the Annexures.

Maintainability of the Rule has been challenged by the learned Advocate for the respondent No.5 firstly on the ground that facts are disputed and secondly since the Petitioner has filed a Criminal Case against the Respondent No.5 for cheating etc. Which is pending she should not be allowed to pursue two types of litigation on the same subject at the same time.

Let us address the point of maintainability first. It is alleged by the petitioner that she paid taka ten lac to the Respondent No.5 but that is denied by the respondent. Similarly, the petitioner's claim that the certificate is false is also denied by the answering Respondent no.5. However it is admitted by the parties that petitioner did undertake a course of study at the Respondent No.5's Chancery Academy of English Law for a Diploma/ Degree of the Williamsburg University of U.K. the instant Rule is about the Respondent Nos. 1-4's action or inaction relating to this matter and a prayer for a direction that they should monitor the provision of tuition by institutions. From that point of view we find no reason

why the Rule can not be maintainable. Secondly even if a Criminal Case is filled by the petitioner fro cheating etc. we see no bar in maintaining this Writ Petition for review for the administration's alleged inaction.

The University of London was established more than 200 years ago, its external programs now know as International Programs have allowed students from all over the world to study for degrees of the said University without actually traveling to the U.K.. The L.L.B degree of the University of London is an internationally recognized degree of acceptable standard in the study of law. Holders of the said degree are eligible to sit for the Bar Examinations of the U.K. to qualify as a Barrister-at-Law as well as appear in the Bar examinations of many countries of the world including Bangladesh for enrolment as Advocates. A number of institutions in Bangladesh under private initiative has also been providing tuition for the L.L.B. degree of London University. This has provided an opportunity to many in Bangladesh to go to U.K. and get admitted to the Bar Vocational course and qualify as a Barrister-at-Law and save expenses. At a time when state Universities in Bangladesh are finding it difficult to accommodate increasing numbers of students qualifying in secondary and higher secondary examinations these private institutions are providing students' the opportunity to study for and get U.K. law degrees.

Private Universities have also come into existence in Bangladesh to fulfill the growing demand for University education. These Universities should not be confused with institutions providing tuition for foreign University degrees. Private Universities have their own faculties and individual degree awarding powers. Their activities are supervised by the University Grant Commission and all the academic course have to approved by the said Commission.

Since these institutions (both private University and institution providing private tuition for foreign degrees) have opened their door to public to provide tuition in exchange of money, the Government has a duty to monitor their activities to ensure that the citizen do not get there will always be unscrupulous people offering short cuts and allurements to students in the name of providing education but the Government has duty to put place adequate safe guards so that unscrupulous persons don't cheat unsuspecting students.

Respondent No.5 is alleged to have done just that. The Petition claims to have lost several years of her life studying for degree from

a U.K. ....existence in U.K.. The Certificate given to her is alleged to be fake the degree not recognized; in addition she has been cheated of several lac taka. Although the learned Advocate for the Respondent has strong denied the allegation of fraud and cheating he could not satisfy this court about the location of the main campus of Williamsburg University. Nothing before us to indicate that it is a British University. In fact in the list of degree awarding bodies of the U.K. the name of Williamsburg University does not appear. A degree awarding body in the U.K. derives its authority either from Royal Charter or Act of Parliament or by order of the British Council. There is nothing before us to show how Williamsburg University acquired its degree awarding status. Thus we are not satisfied about Williamsburg University being a British University. We do not say that Williamsburg University does not exist in some other country and have affiliated offers in the U.K. and provide a web based (internet based) distance learning program. It is however clear that its L.L.B. Degree is not recognized by the Bar Standards Board of U.K. as well as the Bangladesh Bar Council. In that view of the matter apart from self satisfaction and self education no useful purpose will be served in pursuing the L.L.B. course of Williamsburg University. It is however for the University Grants Commission of Bangladesh to formally approve or disapproved the said L.L.B. course of Williamsburg University; thus on the face of evidence before us the Respondent No. 5 Chancery Academy of English Law should not be allowed to provide coaching/ tuition for any course of Williamsburg University until specific approval is obtained from the University Grants Commission. We don not wish to comment on the allegation of fraud and fake certificate since Criminal case pending against the Respondent No. 5 and no doubt evidence will be adduced in court on the basis of which the concerned will be take its decision.

The learned Advocate for the petitioner as well as the Respondent No. 6 University Grants Commission has submitted that the respondent No. 5's Chancery Academy of English Law be ordered to be shut down. The learned Deputy Attorney General has also submitted that the Respondent No.5 is providing tuition to students for foreign University Degree violation of the Provision of Private University Act, 2010 for which appropriate order may be passed against it. In response to submission from the Bar it must said that it is not the work of this Court sitting in jurisdiction to shut down educational institutions. The State

machinery adequately empowered to do the same and it should exercise such power of examination all the facts in each case.

The respondent No. 6 has made a spot survey of a number of institutions including the Respondent No. 5's Chancery Academy of English Law and has made observations that some of them are completely fake etc. It is unfortunate that the said respondent after having made their survey and coming to a conclusion that institutions are fake have not taken any steps against them. According to them they are urged to take appropriate steps pursuant to their findings in accordance with law within 60 (sixty) days from the date of receipt of this judgment.

The Respondent Nos. 1-4 are directed to form an appropriate committee to monitor the activities of institutions in Bangladesh providing tuition for degrees of foreign Universities so that students do not get defrauded by unscrupulous persons.

In our opinion none should be allowed to start educational institutions and open their doors to the public and take money from innocent persons in return for providing tuition for a foreign law degree or course without complying with certain formalities. Although as stated earlier Bhuiyan Academy, Newcastle Academy, London School of Legal Studies etc. have done a creditable and praiseworthy work in setting up their institutions for providing tuition for the L.L.B. degrees of Universities of London, Northumbria, Wolverhampton etc. at the same time we see institutions like Chancery Academy of English Law allegedly providing courses of so called Williamsburg University which serve no useful purpose. The Government is under a duty to make appropriate legislation and ensure that on the one hand students have access to study for courses of foreign University degrees in Bangladesh on the one hand and at the same time ensure that such courses are conducted genuinely. Such legislation should not make it difficult for institutions to be set up under private initiative. Formalities should be kept to be minimum. The authority should be satisfied firstly that the tuition is provided for a degree of a recognized University and that it will be useful for the student in Bangladesh as well as abroad to pursue further studies or to qualify for Government service or professional career (e.g. the Bangladesh Bar Council) Secondly, the tuition provider should have sufficient infrastructure facilities for the tuition and coaching i.e. if the degree requires laboratory and experiments then the

tuition provider should have a proper laboratory; in other cases there should be adequate lecture and tutorial rooms and access to a well equipped library containing sufficient reading materials on the subject.

Thirdly the Syllabus and course content of the subject for which the degree is being pursued should be at least of a standard compatible to a similar course of study in a University in Bangladesh covering the same number of years/ months of study.

As already stated these tuition providers are providing opportunity to our youth to obtain foreign university Degrees without requiring the students to go outside Bangladesh. This initiative should be encouraged by the Government and other state authorities including the Respondent Nos. 1-4 and 6. The requirements should not be financially onerous and deprive intending students to obtain the benefit of foreign degree by studying in Bangladesh.

By monitoring their activities and framing legislation in the form of Rules and Guidelines it is hoped that the number of such tuition providers under private initiative will not only increase but the quality of their tuition and services shall improve for the benefit of the large numbers of our young generation and make them more qualified and equipped to contribute to the development of our country.

It appears that the respondent Nos. 1-4 have allowed the Respondent No. 5 to continue its activities of providing coaching/ tuition for Williamsburg University unabated without even investigating into the matter as to whether such University exists; there are allegations of innocent students being defrauded in the name of providing tuition for foreign University degree; the Respondent No. 5 has also not taken any permission from the Government as per sections 3 and 39 of the Private University Act: the committee constituted by the Respondent No. 6 after making the on the spot survey have not found the Respondent No. 5's institution satisfactory; the Respondent Nos. 1-4 have thus fallen short of their responsibilities in taking appropriate action against the said Respondents and from that point of view this Rule has merit.

The Respondent Nos. 1-4 are therefore directed to frame their rules under section 39 of the Private University Act within 02 (two) month (of receipt of copy of this judgment) so that private

institutions providing coaching/ tuition for foreign degree may be brought within the control and discipline of the Government.

Accordingly the Rule is made absolute in part along with all the aforesaid observations and directions which will be in the form of continuous Mandamous.

In view of the harassment to the Petitioner we are inclined to award cost accordingly the respondent No. 5 is directed to pay a sum of Taka 1,50,000/- (one lac fifty thousand) to the petitioner.

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