

Father of the Nation Bangabandhu Sheikh Mujibur Rahman inaugurated the Supreme Court of Bangladesh on 18 December, 1972





Supreme Court of Bangladesh

ANNUAL REPORT 2021



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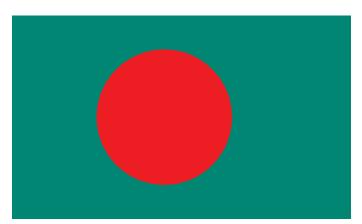
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National Flag of Bangladesh



Emblem of the Supreme Court of Bangladesh



Flag of the Honourable Chief Justice of Bangladesh



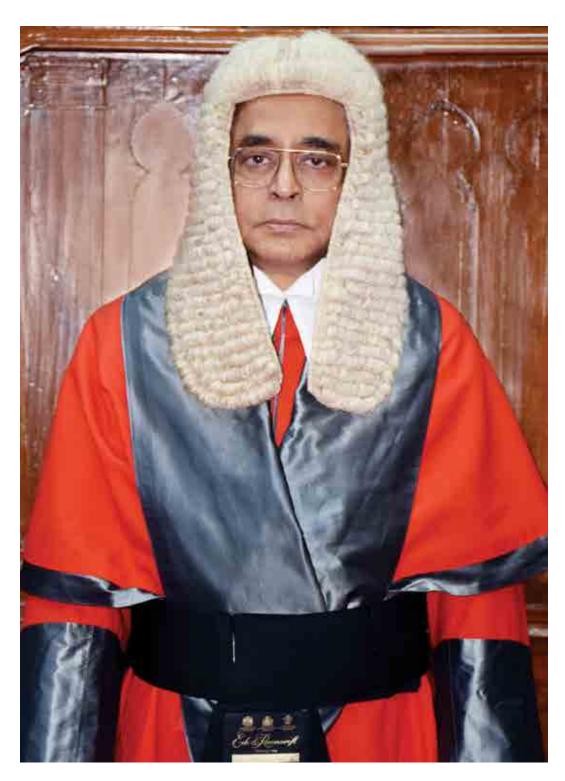
Flag of the Honourable Judges of the Supreme Court of Bangladesh $\,$

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Supreme Court of Bangladesh **At a Glance**

Established		On 16.12.1972 A.D. under article 94 of the Constitution of the People's Republic of Bangladesh. Commenced functioning on 18.12.1972.	
Authorized by		Part VI, Chapter I of the Constitution of the People's Republic of Bangladesh.	
Territorial Jurisdiction		Whole of Bangladesh	
Location/Permanent Seat	:	Dhaka, the Capital of the Republic.	
Area	:	Floor Area: (i) Main Building 1,65,026.54 Sft. 55.05 Acres of Land. (ii) Annexe Building 83,684.00 Sft. (iii) Old Building 7,881.83 Sft. (iv) Three Administrative Buildings 1,57,000.00 Sft. (v) Judges Sports Complex 10,800.00 Sft. (vi) Bijoy 71 - 18,200.00 Sft.	
Composition of Court		As per article 94(2) of the Constitution, the Supreme Court, comprising the Appellate Division and the High Court Division, consists of the Chief Justice and such number of other Judges as the President may deem it necessary for each Division.	
Appointment of Judges		(i) The Chief Justice and the Judges of both the Divisions of the Supreme Court are appointed as per the article 95 of the Constitution;(ii) Additional Judges are appointed as per the article 98 of the Constitution.	
Maximum Number of Judges in each Division during 2021		(i) Appellate Division: 07 (Seven) Judges including the Chief Justice of Bangladesh. (ii) High Court Division: 92 (Ninety Two) Judges.	
Tenure of Office of the Judges	:	Until attaining the age of 67 years; unless (i) removed by the President of the Republic on the basis of the report of the Supreme Judicial Council; or (ii) resigns his office by writing under his hand addressed to the Hon'ble President of the Republic, (Article 96 of the Constitution)	
Jurisdiction	:	 (A) The Appellate Division has jurisdiction to hear and determine appeals from judgments, decrees, orders or sentences of the (i) High Court Division, (ii) Administrative Appellate Tribunal, (iii) International Crimes Tribunals. An appeal to the Appellate Division from a judgment, decree, order or sentence of the High Court Division lies; (a) as of right where the High Court Division- (i) certifies that the case involves a substantial question of law as to the interpretation of the Constitution; or (ii) has sentenced a person to death or to imprisonment for life; or (iii) has imposed punishment on a person for contempt of that Division; and in such other cases as may be provided for by Act of Parliament; [article 103(1) and (2) of the Constitution]; and (b) by leave of the Appellate Division. (B) The Appellate Division also has advisory jurisdiction under article 106 of the Constitution. (C) The High Court Division has such original, appellate and other jurisdictions, powers and functions as are or may be conferred on it by the 	
Court Rooms	:	Constitution or any other law. (Article 101 of the Constitution) The Appellate Division : 03 (Main Building)	
		The High Court Division : 25 (Main Building) : 35 (Annexe Building) : 04 (Old Building) : 32 (Bijoy 71) Total= 99	
Contact	:	The Registrar General, Supreme Court of Bangladesh, Shahbag, Dhaka-1000 Phone : (+88 02) 223382785 Fax : (+88 02) 223385058 Website : www.supremecourt.gov.bd Email : rg@supremecourt.gov.bd	







Mr. Justice Syed Mahmud Hossain Honourable Chief Justice of Bangladesh (03 February, 2018 - 30 December, 2021)



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From the Desk of the **Honourable Chief Justice of Bangladesh**

Justice Hasan Foez Siddique

It is my privilege to present the Annual Report of the Supreme Court of Bangladesh for the year 2021. This report is a comprehensive reference about the Supreme Court of Bangladesh and strives to provide an extensive insight into its functions, endeavours and efficacy. The information and statistics enshrined in this report provide strong evidence of the continued hard work, dedication and energy of the Honourable Judges of the Supreme Court in creating an efficient and fair justice system for all. This report also serves as a ready reference on the recent initiatives and accomplishments of the Supreme Court of Bangladesh.

The Supreme Court of Bangladesh observed 'Mujib-Year' in 2021 through various programmes and activities marking the birth centenary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman. The Supreme Court of Bangladesh is going to celebrate 50 years of its glorious journey in 2022. We will also celebrate the 50th anniversary of the Constitution of the People's Republic of Bangladesh at the same time. The Supreme Court of Bangladesh has decided to commemorate the 50th anniversary of its establishment and also the Constitution in 2022 with due fervour, devotion and enthusiasm. Therefore, the year 2022 has been illuminated with great expectations, achievements and satisfactions.

The Constitution of Bangladesh, as said by our Father of the Nation Bangabandhu Sheikh Mujibur Rahman to be "written in martyrs' blood", proclaims to secure the social, economic and political justice and safeguards the fundamental rights of citizens. The Judiciary is obligated to protect the rights and liberties of citizens through exercising the powers and prerogatives of judicial review and judicial activism. For an individual deprived of rights guaranteed to him or her in the Constitution, the court is the last resort for seeking remedy. The Supreme Court of Bangladesh, as the court of the highest stratum, bears the great responsibility of upholding and interpreting our Constitution. Over the last 49 years, the Supreme Court has rendered a number of landmark judgments, upheld the rule of law, safeguarded our sacred Constitution and made immense contributions to the protection of fundamental rights of citizens.

The ongoing crisis caused by the COVID-19 pandemic has triggered a series of changes at the global level. The COVID-19 outbreak has rapidly changed the way we live, work and interact and has left an indelible mark on almost every sector and sphere of human activity. A lot of incidents happened very quickly and a lot was achieved during this period. The pandemic has produced huge challenges for legal systems around the world and the judiciary of Bangladesh was no exception. Our judiciary continued to face unprecedented adversities in the year 2021. For a second straight year the COVID-19 pandemic posed serious constraints and challenges on the operations of the courts. The Appellate Division and High Court Division have operated virtually most of the time in the year 2021. Several innovative measures were adopted by the Supreme Court of Bangladesh for ensuring that access to justice was not denied to the public during the COVID-19 outbreaks. By formulating and implementing timely and comprehensive practice directions and notifications, the Supreme Court of Bangladesh ensured that the

functioning of the courts continued to apace. During this period, technology proved to be an essential asset in enabling the continuation of court operations and people's access to justice even from a distance. Therefore, I have no hesitation in saving that the court is now well prepared to respond if circumstances once again so require. However, the year 2021 was not only a year of statistics in terms of the disposal of cases, but also a year in which a significant number of important judgments were delivered attracting a great deal of public attention.

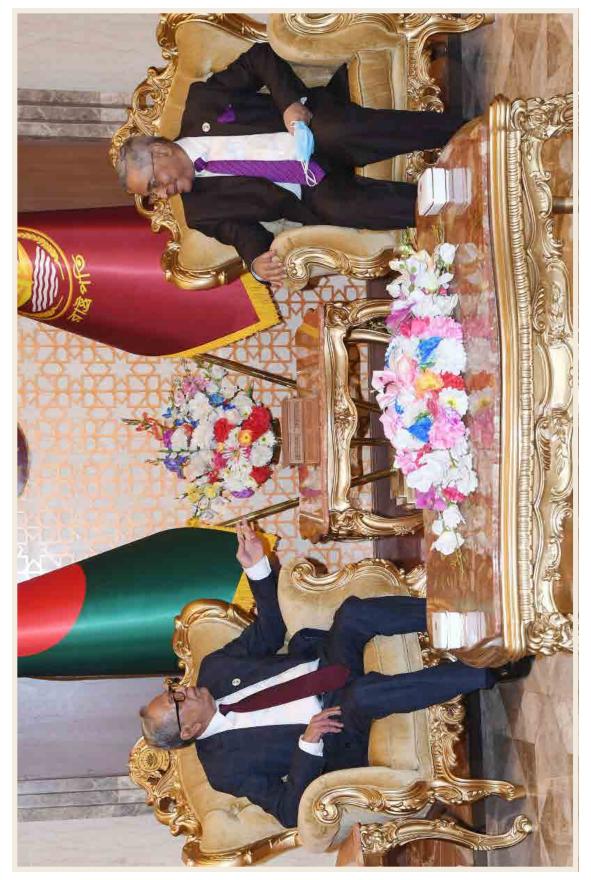
We have modernized and digitized some of our filing processes in the High Court Division, such as Company and Admiralty matters, which effectively minimized the time, cost and visits of litigants. In order to make our justice system stronger and more reliable, we have already taken some effective and necessary steps. Under the Supreme Court of Bangladesh (High Court Division) Rules, 1973, Monitoring Committees have been formed for the purpose of supervision and inspection of the subordinate courts. Eight Monitoring Committees, headed by eight Honourable Judges of the High Court Division, have been constituted for the eight divisions of Bangladesh. For providing secretarial support to the Honourable Judges, eight judicial officers have also been assigned to the committees. Besides, to increase the efficiency of judicial institutions as well as to inspire and motivate judges of the Subordinate Judiciary, we have decided to introduce the "Chief Justice Award" to be awarded to the most competent judges and judgeships. This will certainly work as an incentive for the judges of the Subordinate Judiciary and inspire them to work with more dedication, enthusiasm and integrity in the dispensation of justice. We are determined to take all the necessary steps for reducing backlog of cases and making the judiciary more transparent, service-oriented and efficient.

When our Nation's flag is proudly flown over the Supreme Court each morning, we, like all patriots, take up the responsibility of safeguarding our Constitution and protecting the constitutionally guaranteed rights of persons of every age, every profession and every region of this country. This is a tribute to the strong commitment of my fellow Honourable Judges of the Supreme Court of Bangladesh for upholding the rule of law, strengthening administration of justice and serving the people and the country with devotion. I am extremely grateful to them for giving their very best in preserving the splendours and traditions of this great institution. I must commend the Supreme Court Bar for their renewed contributions for taking up the responsibility of preserving the rule of law. The service rendered by the Supreme Court Registry is also worthy of appreciation. I extend my sincere thanks to all court officials and staff of all desks for ensuring that every branch of the justice delivery system continues to operate smoothly and efficiently.

Last but not the least, I express my heartfelt gratitude to the Honourable Chairman and Members of the Editorial Committee of the Annual Report, 2021 of the Supreme Court of Bangladesh for their tireless efforts and immense contribution in publishing this Report. I am certain that this Report will be a fascinating and beneficial study for the members of the legal fraternity and the people in general alike.

In fine, I wish wide readership and continued success of this reliable and informative publication.

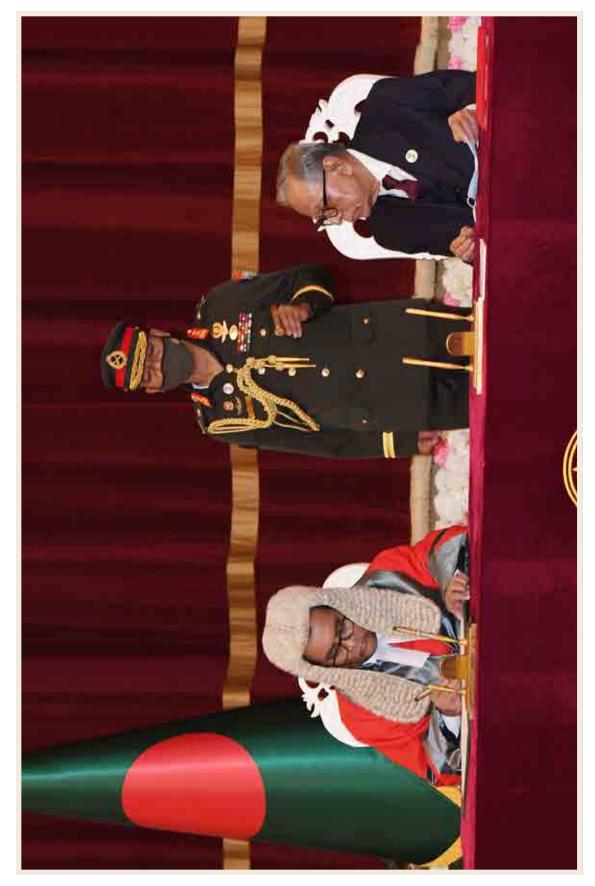
Hasan Folz Liddlegue Justice Hasan Foez Siddique Chief Justice of Bangladesh



Honourable Mr. Justice Syed Mahmud Hossain is seen with the Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid during his Farewell meeting on 29 December, 2021



Honourable Mr. Justice Hasan Foez Siddique is being sworn in as the 23rd Chief Justice of Bangladesh by the Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid on 31 December, 2021



Honourable Mr. Justice Hasan Foez Siddique is being seen with the Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid on 31 December, 2021



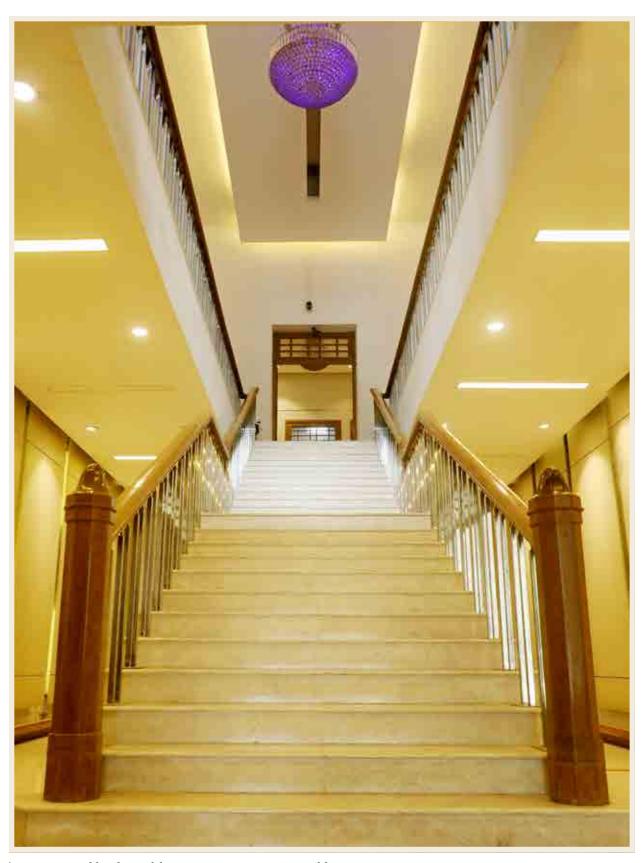
Honourable Mr. Justice Hasan Foez Siddique is at the meeting with the Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid after being sworn as the 23rd Chief Justice of Bangladesh on 31 December, 2021



Editorial Committee of the Annual Report, 2021 of the Supreme Court of Bangladesh (From Left) Madam Justice Naima Haider, Mr. Justice M. Enayetur Rahim, Mr. Justice Obaidul Hassan, Mr. Justice Md. Nuruzzaman, Mr. Justice Borhanuddin, Mr. Justice Md. Ashfaqul Islam, and Mr. Justice Shahidul Karim. Mr. Justice Syed Refaat Ahmed (not in the frame)



Members of Editorial Committee of the Annual Report, 2021 of the Supreme Court of Bangladesh are seen attending a Committee meeting



| Staircase and landing of the Supreme Court Main Building



The Court Room of the Honourable Chief Justice of Bangladesh



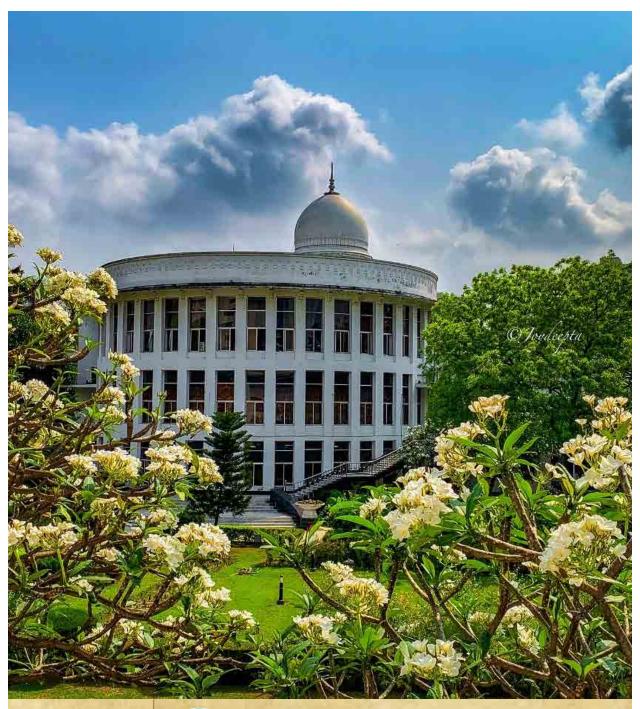
The Court Room of the Honourable Chief Justice of Bangladesh (Long View)



Court No. 2 of the Appellate Division of the Supreme Court of Bangladesh



Court No. 8 of the High Court Division of the Supreme Court of Bangladesh



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Supreme Court of Bangladesh

PROFILE OF THE

HONOURABLE CHIEF JUSTICE OF BANGLADESH

AND

HONOURABLE JUDGES OF THE APPELLATE DIVISION OF THE

SUPREME COURT OF BANGLADESH



Mr. Justice Syed Mahmud Hossain Chief Justice of Bangladesh (Up to 30 December, 2021)

Father's name : Late Syed Mustafa Ali Mother's name : Begum Kawsar Jahan : 31 December, 1954 Date of birth

Obtained B.Sc., LL.B and completed six months long "Commonwealth Young Lawyers Course" from the School of Oriental and African Studies (SOAS) and the Institute of Advanced Legal Studies, both part of University of London.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh in the year 1981 and 1983 respectively. Acted as Deputy Attorney General from December, 1999 till elevation to the Bench.

Elevated as Additional Judge of the High Court Division on 22 February, 2001 and Judge of the High Court Division on 22 February, 2003.

Elevated to the Appellate Division of the Supreme Court of Bangladesh on 23 February, 2011. Took oath as the 22nd Chief Justice of Bangladesh on 03 February, 2018.

Attended the '4th International Summit of High Courts-Transparency in Judicial Process' organized by Court of Cassation, Turkey on 11-12 October, 2018 in Istanbul, Turkey. Participated in the Panel Discussions among the Heads of Judiciaries of the BIMSTEC countries and attended the Constitution Day programme of India held in New Delhi in November, 2018. Attended the 3rd Indonesian Constitutional Court International Symposium, held in Bali, Indonesia on 03-06 November, 2019. Also attended the International Judicial Conference on 'Judiciary and the Changing World' organised by the Supreme Court of India on 21-23 February, 2020.

Visited Courts of Canada and the USA in 2012 under the Judicial Strengthening (JUST) Project supported by UNDP to share experience and exchange views with Judges of those countries for improving justice delivery system. Visited Russian Federation on 14-18 July, 2019 by the invitation of Mr. Vyacheslav Lebedev, Chief Justice of the Supreme Court of the Russian Federation.

Participated in the International Seminars and Study Tours held in Penang- Malaysia, Norway, Denmark, Sweden, India, South Korea and Hong Kong.



Mr. Justice Hasan Foez Siddique Chief Justice of Bangladesh (Assumed office on 31 December, 2021)

Father's name : Late Abdul Gofur Mollah Mother's name : Late Noorjahan Begom Date of birth : 26 September, 1956

Obtained M.A., LL.B.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division on 21 August, 1981, 04 September, 1983 and 27 May, 1999 respectively. Acted as Legal Adviser to Khulna City Corporation, Kushtia Municipality, Jalalabad Gas Transmission Company and Chief Law Adviser of the Ministry of Home Affairs. Besides, his lordship worked as Additional Attorney General for Bangladesh.

Elevated as Judge of the High Court Division on 25 March, 2009 and as a Judge of the Appellate Division of the Supreme Court of Bangladesh on 31 March, 2013.

His lordship assumed the office of the Chairman of Bangladesh Judicial Service Commission on 30 April, 2015.

Took oath as the 23rd Chief Justice of Bangladesh on 31 December, 2021.

Participated in the conference of South Asisan Judges Regional Forum on Economic and Financial Crime held in Sri Lanka in 2011; South Asian Conference on Environmental Justice in Pakistan in 2012; International Conference on Environment held in New Delhi, India in 2015. His lordship also attended in the 17th International Conference of Chief Justice of the World held in Lucknow, India in 2016, 2nd China Asian Justice Forum held in China in 2017 and 60th Anniversary of Turkish Constitutional Court, Istanbul and Ankara, Turkey.

Visited China, India, Turkey, Saudi Arabia, Sri Lanka, Pakistan and Thailand.

Mr. Justice Muhammad Imman Ali

Father's name : Israil Ali Mother's name: Alifjan Bibi Date of birth : 01 January, 1956

Obtained B.A. (Hons) Law, LL.M. and Barrister-at-Law.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 21 June, 1979, 11 May, 1982 and 21 August, 1995 respectively. Elevated as Additional Judge of the High Court Division on 22 February, 2001 and appointed Judge of the same Division on 22 February, 2003. Elevated to the Appellate Division of the Supreme Court of Bangladesh on 23 February, 2011. Published book "Towards a Justice Delivery System for Children in Bangladesh." Authored chapter on Children Act 2013 in book titled "Justice for Children in Bangladesh" by Najrana Imaan. Recipient of International Mediation Award from the Africa-Asia Mediation Association (AAMA) in August, 2020. Received "Juvenile Justice Without Borders International Award" from IJJO, Brussels in December, 2014. Former Secretary General of Penal Reform International based in London. Council Member of the International Association of Youth Family Judges and Magistrates (IAYFJM). Participated in the International Workshops, Conferences and Training Programmes held in South Korea, Austria, Indonesia and Czech Republic in 1997, 1998, 1999, 2000, India in 2003, Malaysia and New Zealand in 2008, United Kingdom and Malawi in 2009, Turks and Caicos Islands in 2009, Australia in 2010, New Delhi in 2011, Bangkok, USA, Scotland, Bulgaria and Kyrgyzstan in 2012, Conference on Global Constitutionalism at Yale University in September, 2013, IJJO International Conference in Brussels-December 2014. Conference on Detention of Children, Geneva, January, 2015; attended policy meeting as member of the IJJO network of professionals and experts in Bangkok in May 2015; Conference on Child Abuse in Kuala Lumpur, Malayasia in October, 2015.

Attended the 2nd UNCITRAL Asia- Pacific Judicial Summit held in Hong Kong in October, 2017. Took part in U.N. Expert Group Meeting on "Children of Returning Terrorists Fighters" held in New York in April, 2018. Attended the 'Review Meeting on Children Affected by Foreign Fighters Phenomenon: Ensuring a Child Rights-Based Approach', in the United Nations conference room, New York on 11-12 April, 2019. Also attended $\hbox{`Judicial Symposium on Family Justice'} \hbox{on 28-30 September 2019 organised}$ by the Maldives Judicial Academy in the Maldives.

Led the 'Exposure Visit Programme' of the Supreme Court Special Committee on Child rights to Sri Lanka in April-May, 2018 and delivered a lecture on "The effect of corporal punishment on children" in Jaffna, Sri Lanka. Presented paper at the World Congress on "Justice for Children" held in Paris in May 2018.

Took part in the "Regional Judicial Dialogue on Women's Human Rights and the Right to a Safe, Clean, Healthy and Sustainable Environment" held in Nepal in September 2018. Participated in 'Training of Trainers' on child rights for Judges in the Maldives in December, 2017. Delivered lecture at Cornell University on Child Marriage in Bangladesh in 2013. Took part in training of judges, lawyers and prosecutors of Armenia on Juvenile Justice in December, 2012. Visited France, Germany, Belgium, Holland, Luxemburg, United Arab Emirates, Saudi Arabia, Jordan, Kenya, Singapore, Thailand, USA, Canada, UK, Qatar, Austria, Malawi, Malaysia, Indonesia, Australia, New Zealand, Italy and India.

Resource person for training of Judicial Officers (JATI), Lawyers, Police Personnel and Social Welfare Officers (LETI).



Mr. Justice Mirza Hussain Haider

Father's name : Late Mirza Ashrafuddin Haider

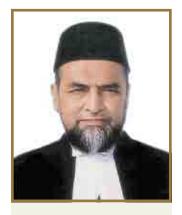
Mother's name : Late Amina Khatoon Date of birth :01 March, 1954

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh in the year 1979, 1981 and 1999 respectively. Elevated as Additional Judge of the High Court Division on 03 July, 2001 and appointed Judge of the same Division under Article 95 of the Constitution on 03 July, 2003. Elevated to the Appellate Division of the Supreme Court of Bangladesh on 08 February, 2016. Participated in the World Environment Conference at New Delhi, India held in 1999; the 4th International Conference of Chief Justices of the World at Lucknow, India held in 2003; the Judicial Training Programme for foreign Judges at Seoul, South Korea held in 2006; the South Asian Judges Conference at Kolkata, India held in 2007; ADB Finance Programme namely "Asian Judges Symposium on Environmental, Dicision Making, the Rule of Law and Environmental Justice" at Manila, the Philippines held in 2010. Represented the Chief Justice of Bangladesh in the 14th SAARC Law Conference and 11th SAARC Chief Justices Conference held in Sri Lanka in October, 2017.

Visited Australia, Bahrain, Bhutan, China, France, India, Italy, Greece, Malaysia, the Maldives, Nepal, New Zealand, the Philippines, Kingdom of Saudi Arabia, Singapore, South Africa, South Korea, Sri Lanka, Thailand, Turkey, United Kingdom, United States of America and Uzbekistan.





Mr. Justice Abu Bakar Siddiquee

Father's name : Late Abdul Gofur Mollah Mother's name : Late Noor Zahan Begum

Date of birth : 29 July, 1954

Obtained B.Sc. and LL.B. from the University of Rajshahi.

Enrolled as an Advocate of the Kushtia Bar Association in the year 1979.

Joined the Judicial Service as Munsif on 23 April, 1980 and promoted as District and Sessions Judge on 07 May, 1997.

Elevated as Additional Judge of the High Court Division on 30 June, 2009 and appointed Judge of the same Division on 06 June, 2011. Elevated as Judge of the Appellate Division of the Supreme Court of Bangladesh on 09 October, 2018.

Participated in a course titled "Intellectual Property Right" organized by Japan International Co-operation Agency, in Tokyo, Japan. Participated in a seminar titled as "Access to Justice" organized by Judicial Studies Board in Warwick University, England. Participated in a Study Tour in respect of "Alternative Dispute Resolution" (ADR) organized by the legal and Judicial Capacity Building Project in California, Washington and England. Participated in a roundtable conference titled as Asia-Pacific Judicial Reform Forum-2009, in Singapore.

Visited Macca and Medina for performing Hajj.

Mr. Justice Md. Nuruzzaman

Father's name : Late Hazi Md. Bazlur Rahman Mother's name : Late Alhaj Amena Begum

Date of birth : 01 July, 1956

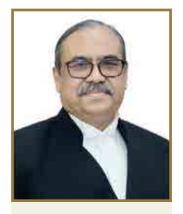
Obtained M.S.S. and LL.B. from the University of Dhaka. Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 04 September, 1983 and 07 January, 1987 respectively.

Elevated as Additional Judge of the High Court Division on 30 June, 2009 and appointed Judge of the same Division on 06 June, 2011.

Elevated as Judge of the Appellate Division of the Supreme Court of Bangladesh on 09 October, 2018. Appointed as the Chairman of the Enrolment Committee of the Bangladesh Bar Council in October 2018. The Honourable President of the People's Republic of Bangladesh, on 23 January, 2012 nominated him as a Member of Search Committee (first of this type) for selection of the Chief Election Commissioner and the Commissioners of the Election Commission. The Honourable President also appointed him as a Member of the Judicial Service Pay Commission on 17 December, 2014 and as a Member of Bangladesh Judicial Service Commission. Participated in the Liberation War of Bangladesh 1971 as freedom fighter and liberated many places of the then Sunamgani, Netrokona and Kishoreganj Sub Division from the occupation of the Pakistan army.

Participated in Anti Corruption Laws seminar held in Hong Kong, 2011. Visited India, Saudi Arabia, Hong Kong, Malaysia and Thailand.





Mr. Justice Obaidul Hassan

: Dr. Akhlagul Hossain Ahmed Father's name Mother's name : Begum Hosneara Hossain : 11 January, 1959 Date of birth

Obtained B.S.S(Hons), M.S.S.(Economics) and LL.B from the University of Dhaka. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Bangladesh Supreme Court on 18 March, 1986, 18 September, 1988 and 15 August, 2005 respectively.

Elevated as Additional Judge of the High Court Division on 30 June, 2009 and appointed Judge of the same Division on 06 June, 2011. During 23 March, 2012 to 12 December, 2012 and 13 December, 2012 to 15 September, 2015 worked as Member and Chairman respectively of International Crimes Tribunal-2.

Elevated as Judge of the Appellate Division of the Supreme Court of Bangladesh on 03 September, 2020.

Participated in an international conference held in Hong Kong (1991).

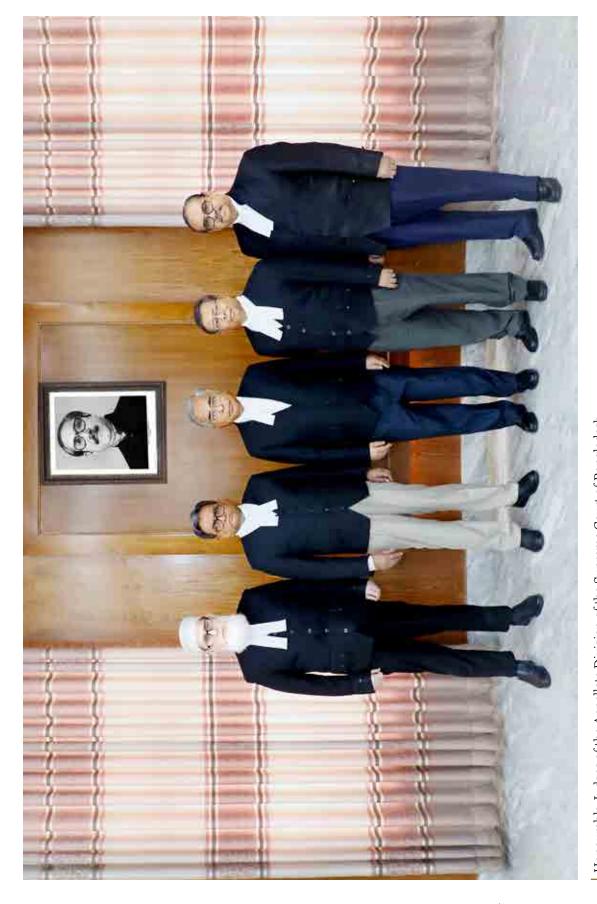
Participated in a training programme namely "Judicial Governance Programme" held in Singapore in July 2015.

Attended an International Conference on "International Crimes/State Crimes" held in Buenos Ayres, Argentina in August 2015.

Also attended in a view exchange programme with the Judges of International Criminal Court (ICC) and International Crimes Tribunal for former Yugoslavia (ICTY) in the Hague, Netherlands in August 2015.

Authored a book namely "Obornaniya Nirmomotar Chitra: Ekattorer Buddhijibi Hottakanda O Onnannya" (2020).

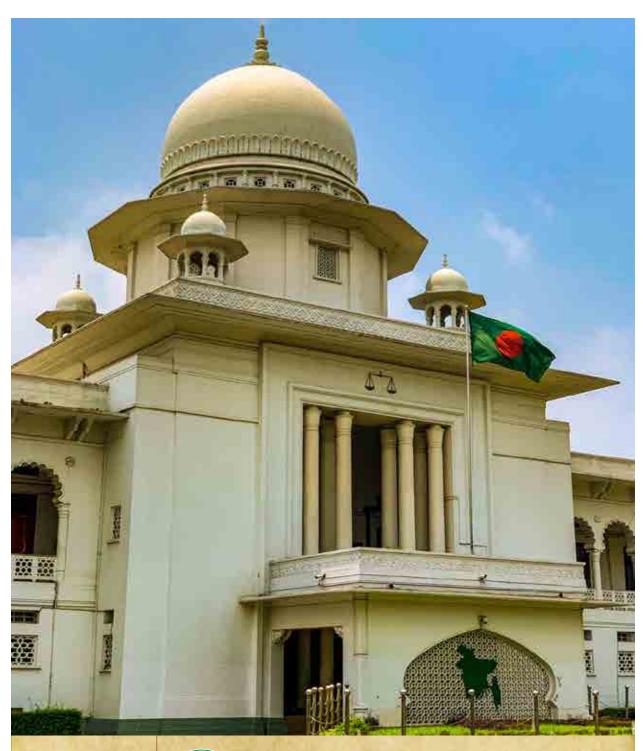
Visited China, India, Pakistan, Nepal, Malaysia, Singapore, Thailand, Saudi Arabia, France, Netherlands, Belgium, Argentina, United Kingdom, Switzerland, Turkey, United Arab Emirates and Indonesia.



Honourable Judges of the Appellate Division of the Supreme Court of Bangladesh (From left) Mr. Justice Md. Nuruzzaman, Mr. Justice Hasan Foez Siddique, Mr. Justice Syed Mahmud Hossain (Honourable Chief Justice of Bangladesh), Mr. Justice Mirza Hussain Haider and Mr. Justice Obaidul Hassan



Honourable Judges of the Appellate Division of the Supreme Court of Bangladesh (After assuming office by the Honourable Chief Justice of Bangladesh Mr. Justice Hasan Foez Siddique)
(From left) Mr. Justice Md. Nuruzzaman, Mr. Justice Hasan Foez Siddique (Honourable Chief Justice of Bangladesh) and Mr. Justice Obaidul Hassan



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Supreme Court of Bangladesh

PROFILE OF THE HONOURABLE JUDGES OF THE HIGH COURT DIVISION OF THE SUPREME COURT OF BANGLADESH

Madam Justice Salma Masud Chowdhury

Father's name : Mr. Justice Chowdhury A.T.M. Masud

Mother's name : Mrs. Aminun Nesa Khatun

Date of birth : 13 December, 1957

Obtained LL.B. (Hons) and LL.M.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 22 August, 1981, 21 September, 1983 and 14 May, 1996 respectively.

Elevated as Additional Judge of the High Court Division on 29 July, 2002 and appointed Judge of the same Division on 29 July, 2004.

Participated in the "Trial Advocacy Program" held in Kuala Lumpur, Malaysia. Completed Legislative Drafting Course, conducted by the Commonwealth Secretariat. Presented papers on "Muslim Family Laws relating to Women in Bangladesh" at an International Women Lawyers' Conference held at Lahore, Pakistan and on "Drug abuse and remedial measures in Bangladesh- a national report" at 23rd FIDA convention held at Brussels, Belgium. Attended the conference on Women, at the end of the Women decade, held in Nairobi, Kenya, as a Government delegate. After becoming a Judge, participated in several international conferences including workshops on Women and Islam, held in Kuala Lumpur, in Malaysia and at Jakarta, Cerabon and Yogjakarta, in Indonesia, along with the Islamic jurists of South East Asia. Participated at a regional conference on "Environmental Justice" held at Kathmandu, Nepal. Participated in International Association of Women Judges (IAWJ) Conference held in London, U.K.

Participated in the workshop for SAARC Judges held in National Judicial Academy, Bhopal, India in February 2016.

Member of the Board of Trustees and Executive Council of the National Heart Foundation of Bangladesh.





Mr. Justice Muhammad Abdul Hafiz

Father's name : Al-haj Muhammad Abdul Jabbar

Mother's name : Rabeva Khanam : 01 June, 1957 Date of birth

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the Dhaka District Court and the High Court Division of the Supreme Court of Bangladesh in the year 1982 and 1985 respectively.

Elected as the Assistant Secretary and Secretary of the Supreme Court Bar Association of Banglaedesh in the year 1991-1992 and 2002-2003 respectively.

Elevated as Additional Judge of the High Court Division on 27 April, 2003 and appointed Judge of the same Division on 27 April, 2005.

Participated in a Judicial Training Programme in Korea.

Mr. Justice Syed Refaat Ahmed

Father's name : Late Barrister Syed Ishtiag Ahmed Mother's name : Late National Professor Dr. Sufia Ahmed

Date of Birth : 28 December, 1958

Obtained LL.B. (Hons) (First Class, First in order of merit), University of Dhaka, B.A. in Jurisprudence and M.A., Wadham College, University of Oxford, UK, M.A. in Law and Diplomacy and Ph.D. from the Fletcher School of Law and Diplomacy, Tufts University, USA.

Was Ford Foundation Fellow in Public International Law at The Fletcher School.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court in 1984, 1986 and 2002 respectively.

Elevated as Additional Judge of the High Court Division on 27 April, 2003 and appointed Judge of the same Division on 27 April, 2005.

Has a number of publications to his credit and lectures as invited speaker extensively at home and abroad. His 2020 publication $Digital\ Footprints$: ARights-Based Perspective has been published by the Bangladesh IP Forum/Bangladesh Intellectual Property Academy (BIPA). His current research interest is focused on the rule of law within the Bangladeshi constitutional scheme.

Has previously worked as a Lawyer in the City of London and with the UNHCR in Hong Kong and Washington, D. C.

Is Founder Member, Global Judicial Institute on the Environment, Brazil.

Participated in international Roundtables, Workshops, Conferences, Study Tours and Courses held in UK, Germany, Malaysia, The Philippines, India, Nepal, Italy, Singapore, Thailand, USA, Brazil, Myanmar and Bahrain. He notably spoke in November, 2021 as Distinguished Expert Speaker on the topic "Criminalizing Humanitarian Action- A Judicial Perspective" at a conference co-hosted by the School of Law, Zhejiang Gongshang University, Hangzhou, China and ICRC Regional Delegation for East Asia.

Visited Brazil, USA, UK, Ireland, The Netherlands, France, Monaco, Spain, Portugal, Germany, Switzerland, Italy, The Vatican City State, Greece, Turkey, Bahrain, Qatar, UAE, Pakistan, India, Nepal, Sri Lanka, Myanmar, Thailand, Malaysia, Singapore, Cambodia, Macau, Hong Kong and The Philippines.





Mr. Justice Md. Miftah Uddin Choudhury

Father's name : Md. Abdul Ahad Choudhury Mother's name : Rigia Begum Choudhury

Date of birth : 26 July, 1955 Obtained LL.B. (Hons) and LL.M.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 21 August, 1981, 24 January, 1984 and 30 October, 2001 respectively.

Elevated as Additional Judge of the High Court Division on 27 August, 2003 and appointed Judge of the same Division on 27 August, 2005.

Participated in a Judicial Training Program in Korea (2006). Visited U.K., India, Thailand, United Arab Emirates, South Korea.

Mr. Justice A.K.M. Asaduzzaman

Father's name : Late M. A. Samad Mother's name : Majeda Khatun Date of birth :01 March, 1959

Obtained LL.B. (Hons) and LL.M. from the University of Rajshahi.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 05 September, 1983, 05 September, 1985 and 25 October, 2001 respectively.

Elevated as Additional Judge of the High Court Division on 27 August, 2003 and appointed Judge of the same Division on 27 August, 2005.

Attended the Commonwealth Secretariat South Asian Judges Regional Forum on "Economic and Financial Crime" at Colombo, Sri Lanka from 13-15 May, 2011.

Visited India, Nepal, Bhutan, Sri Lanka, Singapore, China, Hong Kong, Macao, Malaysia, Indonesia, Saudi Arabia and USA.





Mr. Justice Md. Ashfaqul Islam

Father's name : Late Justice A.K.M. Nurul Islam

Former Vice-President, People's Republic of Bangladesh

Mother's name : Begum Jahanara Arjoo (Ekushey Padak 1987)

A prolific poet of Bengali language and literature

Date of birth : 15 July, 1959

Obtained LL.B. (Hons), LL.M. from the University of Dhaka and F.I.C.P.S. (India).

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh in 1983 and 1985 respectively.

Elevated as Additional Judge of the High Court Division on 27 August, 2003 and appointed Judge of the same Division on 27 August, 2005.

Participated in Judicial Development Programme held in South Korea in 2011 and 3rd South Asia Chief Justices' Roundtable on Environmental Justice held in Colombo, Sri Lanka in August, 2014.

Visited International Criminal Court in Hague, The Netherlands and held discussion with its Judges in a delegation led by the Chief Justice of Bangladesh in 2017.

Visited USA, Canada, UK, China, France, Italy, India, Turkey, Switzerland, Austria, Belgium, The Netherlands, Czech Republic, Indonesia, Malaysia, Singapore, Sri lanka, Maldives, Myanmar, South korea, Spain, Portugal, The Vatican City, Thailand, Pakistan, Nepal, Bhutan, United Arab Emirates and Kingdom of Saudi Arabia.

Mr. Justice Zubayer Rahman Chowdhury

Father's name : Late Justice A.F.M. Abdur Rahman Chowdhury

Mother's name : Begum Sitara Chowdhury

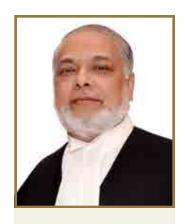
Date of birth : 18 May, 1961

Obtained LL.B. (Hons), LL.M. from the University of Dhaka, LL.M. in International Law (UK).

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 03 March, 1985 and 17 May, 1987 respectively.

Elevated as Additional Judge of the High Court Division on 27 August, 2003 and appointed Judge of the same Division on 27 August, 2005.

Participated in International Conferences, Seminars, Training Programmes and Courses held in Brussels, Belgium (1988), at Prince Edward University, Canada, (1990), Kuala Lumpur, Malaysia in the years 2000, 2002, 2006, Quebec, Canada (2001), Singapore, (2007) and Nepal (2012).





Mr. Justice Md. Rais Uddin

: Late Md. Afsar Uddin Father's name Mother's name : Mrs. Jobeda Khatun Date of birth : 30 June, 1956

Obtained B.Sc. and LL.B.

Enrolled as an Advocate in the District Court and the High Court Division of the Supreme Court of Bangladesh on 22 August, 1981 and 03 November, 1983 respectively.

Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Visited Saudi Arabia, India, Singapore, Malaysia, Thailand, Indonesia and United Kingdom.

Mr. Justice Md. Emdadul Haque Azad

Father's name : Late Advocate Abul Kalam Azad

Mother's name : Late Jainab Azad Date of birth : 16 October, 1956

Obtained LL.B. (Hons) from the University of Rajshahi.

Enrolled as an Advocate of the Rajshahi District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 11 March, 1985, 13 April, 1987 and 27 February, 2001 respectively.

Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.





Mr. Justice Md. Ataur Rahman Khan

Father's name : Late Mr. Abdul Gaffar Khan Mother's name : Late Mrs. Amena Khanam Date of birth : 01 December, 1957

Obtained M.A., LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 05 March, 1984, 27 December, 1989 and 06 June, 1999 respectively.

Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Participated in the SAARC Law Conference, Delhi, India, 1994. Visited India, Saudi Arabia, Yemen, U.K and Thailand.

Mr. Justice Syed Md. Ziaul Karim

Father's name : Late Syed Abdul Malek Mother's name : Late Anowara Begum Date of birth : 12 December, 1957

Obtained B.Sc. (Hons) in Chemistry, LL.B., LL.M. and Ph.D.

Enrolled as an Advocate in the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 18 March, 1986, 18 April, 1988 and 28 November, 1996 respectively.

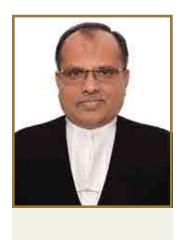
Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Participated in the SAARC Lawyer's Conference held in Sri Lanka in the year 1998.

Participated in South Asian Judges Regional Forum on Economic and Financial Crime held at Colombo, Sri Lanka, 13-15 May, 2011.

Visited Bhutan, India, Nepal, Sri Lanka, Thailand, Indonesia, Hong Kong, China, Macao, Singapore, Saudi Arabia, Malaysia, Myanmar, Canada and Morocco.





Mr. Justice Md. Rezaul Haque

Father's name : Late Md. Tazimul Hossain Mother's name : Mrs. Umme Kulsum Hossain

: 24 April, 1960 Date of birth

Obtained M.A, LL.B. Enrolled as an Advocate of the District Court and High Court Division of the Supreme Court of Bangladesh on 08 April, 1988 and 21 June, 1990 respectively.

Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Visited India, Nepal and Thailand.

Mr. Justice Sheikh Abdul Awal

Father's name : Late Sheikh Yousuff Ali Mother's name : Late Saleha Begum Date of birth : 04 June, 1960

Obtained M.A., M.S.S., LL.B. from the University of Dhaka.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 30 October, 1986 and 26 February, 1989 respectively.

Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Visited India, Pakistan, Singapore, Thailand, Malaysia, Indonesia, China, Hong Kong and Macao.





Mr. Justice S.M. Emdadul Hoque

Father's name : Late Alhaj Mohammad Moslem Uddin Sarder

Mother's name : Late Zobayda Akter Date of birth : 07 November, 1963

Obtained LL.B. (Hons), LL.M. from the University of Rajshahi.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 07 October, 1990 and 26 November, 1992 respectively.

Founder principal of Liberty Law College (2000-2004).

Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Visited India, Saudi Arabia and USA.

Mr. Justice Mamnoon Rahman

Father's name : Late Advocate Rezaur Rahman

Mother's name : Late Afsari Rahman : 09 December, 1965 Date of birth

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

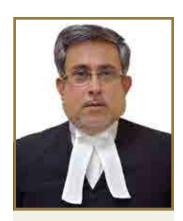
Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 26 November, 1989, 29 May, 1990 and 25 October, 2001 respectively.

Elevated as an Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Participated in the International Conferences, Seminars and Study Session held in Strasbourg, France (1990), New Delhi, India (1997), Kolkata, India (2007), and London, UK (2009).

Visited Nepal, Pakistan, Malaysia, Singapore, Germany, Thailand, Indonesia, USA, UK, India, France and Canada.

Member of the Board of Trustees and Executive Council of the National Heart Foundation of Bangladesh.





Madam Justice Farah Mahbub

Father's name : Late Mahbubur Rahman Mother's name : Late Feroja Mahbub Date of birth : 27 May, 1966

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 15 September, 1992, 09 April, 1994 and 15 May, 2002 respectively.

Elevated as Additional Judge of the High Court Division on 23 August, 2004 and appointed Judge of the same Division on 23 August, 2006.

Visited India, China, Pakistan, Thailand, Malaysia, Dubai, Germany, Saudi Arabia, South Korea, The Philippines and United Kingdom.

Mr. Justice A.K.M. Abdul Hakim

Father's name : Late Al-Haj Abdul Hamid Mother's name : Late Roushan-Ara-Begum

Date of birth : 19 December, 1954

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 05 April, 1979, 27 August, 1981 and 06 June, 1999 respectively.

Elevated as Additional Judge of the High Court Division on 16 November, 2008 and appointed Judge of the same Division on 11 November, 2010.

Participated in International Conferences and Seminars "Asia Pacific Judicial Colloquium on Climate Change" held in Lahore, Pakistan 2018.

Visited Nepal, Pakistan, India, Malaysia, Singapore, Australia, UK, France, Turkey, Switzerland, Sri Lanka and Iceland.





Mr. Justice Borhanuddin

Father's Name : Late Advocate Abdus Sabur

Mother's Name : Late Momtaz Sabur Date of Birth : 28 February, 1957

Obtained LL.B. degree from the University of Chittagong.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 03 March, 1985, 16 June, 1988 and 27 November, 2002 respectively.

Elevated as Additional Judge of the High Court Division on 16 November, 2008 and appointed Judge of the same Division on 11 November, 2010.

Visited India, China, Kingdom of Thailand, Singapore, Malaysia, Saudi Arabia, Bhutan, Myanmar, Federal Republic of Germany and Nepal.

Mr. Justice Md. Moinul Islam Chowdhury

Father's name : Late Alhaj Nurul Islam Chowdhury Mother's name : Late Alhaj Jahanara Chowdhury

Date of birth : 07 April, 1957

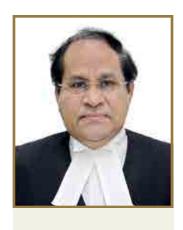
Obtained B.A. (Hons), M.A. (Philosophy), LL.B. from the University of Dhaka and LL.B. (Hons) from Essex, UK, and Barrister-at-Law from the Hon'ble Society of Lincoln's Inn, London, UK.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh in the year 1984, 1986 and 2002 respectively.

Elevated as Additional Judge of the High Court Division on 30 June, 2009 and appointed Judge of the same Division on 06 June, 2011.

Appointed as the Member of the Bangladesh Judicial Service Commission on 04 September, 2013 by the Honourable President of the People's Republic of Bangladesh.

Visited India, France, United States of America, Singapore, Malaysia, Nepal, Bhutan, United Kingdom and Middle East Countries.





Mr. Justice M. Enayetur Rahim

: M. Abdur Rahim Father's name Mother's name : Mrs. Nazma Rahim Date of birth : 11 August, 1960

Obtained M. A. (Mass Communication and Journalism) and LL.B. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 30 October, 1986, 02 January, 1989 and 15 May, 2002 respectively.

Elevated as Additional Judge of the High Court Division on 30 June, 2009 and appointed Judge of the same Division on 06 June, 2011.

Worked as the Chairman of International Crimes Tribunal-1 [From 24 February, 2014 to 15 September, 2015].

Appointed as Additional Attorney General for Bangladesh [January, 2009].

Elected as the Secretary of the Bar Association of the Supreme Court of Bangladesh [2005-2006] and Member of Bangladesh Bar Council from General Seat [2008] and General Secretary, Rangpur Carmichael College Student Union [1981-1982 & 1982-1983]. Served as a Member of Board of Governors and Managing Committee of Bangladesh Open University and Dhaka Shishu [Child] Hospital respectively.

Participated in the International Seminars held in Hong Kong [2006] Cairo, Egypt [2009] and Manila, Philippines [2013], and Buenos Aires, Argentina [August, 2015]. Attended in a view exchange programme with the judges of Interntaional Criminal Court (ICC) and International Crimes Tribunals for former Yugoslavia (ICTY) in the Hague, Netherlands in August, 2015.

Visited India, Nepal, Malaysia, Singapore, Egypt and Saudi Arabia.

Madam Justice Naima Haider

Father's Name : Late Justice Badrul Haider Chowdhury

former Chief Justice of Bangladesh

Mother's Name : Mrs. Anwara Haider Date of birth : 19 March, 1962

Justice Haider went to Holy Cross School and Holy Cross College. She obtained LL.B. (Honours), Master of Laws (LL.M) from University of Dhaka and the second Master of Laws (LL.M) from Columbia University, New York, USA.

Obtained Diplomas in International Cooperation in Criminal Matters from Christ Church College, Oxford University, in Alternative Dispute Resolution from the University of Berkeley, California, USA and attended Commonwealth Lawyer's Diploma under the Institute of Advanced Legal Studies, University of London. She also has to her credit a Diploma in International Humanitarian Law from the International Institute of Humanitarian Law, San Remo, Italy.

Justice Haider started her career as a Lecturer of the Department of Law of the Islamic University. She was also the Chairman of the Department. She, thereafter, joined the Faculty of Law of the University of Dhaka. She left her teaching career and joined the Bar in 1989 and was thereafter enrolled in the Appellate Division of Supreme Court of Bangladesh.

Justice Naima Haider joined the Office of the Attorney General and served the office as an Assistant Attorney General and Deputy Attorney General for Bangladesh. Justice Haider was elevated to the Bench as an Additional Judge of the High Court Division on 30 June, 2009 and was appointed Judge of the same Division on 06 June, 2011.

Justice Haider has attended International Visitor's Programme of the United States of America in 2001, was awarded the Chevening Scholarship by the British Council in 1995 and received the Javier Perez De Cuellar Award for academic excellence in 1992 while she was at the Columbia Law School, New York, USA.

Justice Haider has participated in International Roundtables, Study Tours, Courses and Workshops and presented papers at home and abroad. She has also written several articles published in different law journals and newspapers. Justice Haider has keen interest in access to justice, advancement and empowerment of women, juvenile justice, child rights, rights of refugee women and ethnic minorities, gender based violence against women.



Mr. Justice Md. Rezaul Hasan (M.R. Hasan)

Father's name : Late Abul Kalam Azad (Advocate)

Mother's name : Hosneara Begum Date of birth : 17 December, 1962

Obtained LL.B (Hons) and LL.M. from University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of Bangladesh Supreme Court on 03 March, 1985, 17 June, 1989 and 21 July, 2004 respectively.

Elevated as Additional Judge of the High Court Division on 30 June, 2009 and appointed Judge of the same division on 06 June, 2011.

Author of the "Index of Bangladesh Laws"; 1st edition 1992, and 2nd edition in 2004, with a foreword written by Hon'ble Mr. Justice Mustafa Kamal, the former Hon'ble Chief Justice of Bangladesh, and the 3rd edition published in 2014. Copies of these books are preserved in the Libraries of the US Congress, of the US Supreme Court, of Columbia University Law School, Harvard Law School, Cornell University, University of Chicago, University of Iowa, University of Pennsylvania, Yale University and Alibris, Emeryville, USA. (Source-Google)

He has also acted as a resource person for the World Bank Group (2009) by contributing to a treatise "Investing Across Borders 2010," published by World Bank Group, from Austria, and was a Short Term Consultant of World Bank, Dhaka office (2003).

Visited Washington DC and the US Supreme Court (twice), State of New York, State of New Jersey, State of Pennsylvania, Turkey, UK, Thailand and India (visited Supreme Court of India and the High Courts at Mumbai & Calcutta).

He has attended a conference on 'Corporate Governance', held at Manila, organized by the Asian Development Bank. He has contributed many articles (on legal, social, human rights and economic issues) in the journal section of the law reporters and in the reputed weeklies etc. from 1990 onward. He has also contributed, as the keynote speaker, in a number of national and international seminars and webinars on many important topics and occasions.



Mr. Justice F.R.M. Nazmul Ahasan

Father's name : Late Md. Anwar Hossain Mother's name : Mrs. Jahanara Begum Date of birth : 15 February, 1955 Obtained B.A. (Hons), M.A. and LL.B.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 18 March, 1986, 22 January, 1994 and 13 December, 2009 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Participated in the International Seminars held in India (2007) and Vietnam (2009).

Visited Russia, Vietnam, India, Nepal and Thailand.





Madam Justice Krishna Debnath

: Late Sree Dinesh Chandra Debnath Father's name

Mother's name : Late Sreemoti Benu Debnath

Date of birth : 10 October, 1955

Obtained B.Jur (Hons) and M.Jur from the University of Rajshahi.

Joined the Judicial Service as Munsif on 08 December, 1981 and promoted as District and Sessions Judge on 01 November, 1998.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Attended a certificate course at Harvard Law School, USA in 1990. Participated in the conference of the International Women Judges Association, Canada in 1996. Participated in the conference of the National Women Judges Association of U.S.A. in 2012.

Mr. Justice A.N.M. Bashir Ullah

Father's name : Late Alhaj Abdul Mazid Howlader

Mother's name : Late Mrs. Jamila Khatun

Date of birth : 31 March, 1956

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka. Enrolled as an Advocate of the Dhaka District Court in the year 1980.

Joined the Judicial Service as Munsif on 01 December, 1981 and promoted as District and Sessions Judge on 21 October, 1997.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Visited India, Indonesia, Malaysia, Singapore, Saudi Arabia (KSA) and Thailand.





Mr. Justice Abdur Rob

Father's name : Late Din Mohammad Mia

Mother's name : Mst. Safia Khatun : 10 September, 1958 Date of birth

Obtained B.A. (Hons), M.A. in Political Science and LL.B. from the University of Chittagong.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh in 1987, 1990 and 2002 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Mr. Justice Quazi Reza-ul Hoque

Father's name : Late Quazi Azizul Haque

Mother's name : Late Fazilatnunessa Chowdhury

Date of birth : 28 November, 1958

Obtained LL.B. (Hons), LL.M. from the University of Dhaka, LL.M. in International Human Rights Law from Essex University, UK, MBA from American International University, USA and Ph.D. from Nottingham Trent University.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 06 October, 1985 and 06 April, 1989 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Has a number of publications to his credit.





Mr. Justice Md. Abu Zafor Siddique

: Late Dr. Kawsher Uddin Ahamed Father's name

Mother's name : Late Mrs. Majida Khatun

Date of birth : 02 January, 1959

Obtained LL.B. (Hons) and LL.M from the University of Rajshahi.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh in 1985 and 1998 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Participated in the Judicial Development Programme in Seoul, South Korea, (2010).

Visited United Kingdom, USA, Canada, New Zeland, Australia, Indonesia, China, Vietnam, Combodia, Mayanmar, Saudi Arabia, United Arab Emirates, India, South Korea, Malaysia, Thailand, Singapore, Sri Lanka, the Maldives, Nepal and Bhutan.

Mr. Justice A.K.M. Zahirul Hoque

Father's name : Late Alhaj Abdur Rashid Howlader

Mother's name : Late Mrs. Safura Khatun

Date of birth : 31 January, 1959

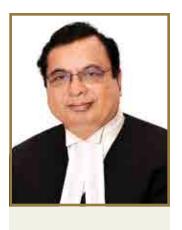
Obtained B.Sc. and LL.B.

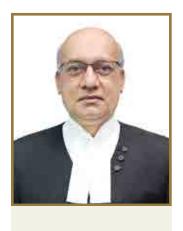
Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 07 October, 1984, 11 July, 1990 and 27 December, 2002 respectively.

Elevated as an Additional Judge of the High Court Division on 18 April, 2010 and appointed as a Judge of the same Division on 15 April, 2012.

Participated in performing the Holy Hajj held in 2013 at Mecca and Medina of Saudi Arabia. Participated in the International Criminal Justice Conference at Sydney on 7-9 September, 2011, organized by Australian Institute of Judicial Administration (AIJA); and also in the International Criminal Justice Conference held on 23-25 August, 2012 at Brisbane, Australia organized by AIJA.

Visited India, Sydney, Rockhampton and Brisbane of Australia.





Mr. Justice Jahangir Hossain

Father's name : Late Md. Abdul Latif Mother's name : Late Ms. Masuda Khatun Date of birth : 31 December, 1959

Obtained M. Com. and LL.B.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 31 October, 1986 and 31 December, 1991 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Participated in SAARC Law Conference in Delhi (1995).

Visited Australia, UK, Singapore, Nepal, Thailand, Sri Lanka, India, Malaysia, Bhutan, The Maldives, Saudi Arabia, France, Belgium, the Netherlands, Argentina, Myanmar, Cambodia, Vietnam and Turkey.

Mr. Justice Sheikh Md. Zakir Hossain

Father's name : Late Kanchan Sheikh Mother's name : Late Noorjahan Begum

Date of birth : 02 March, 1962

Obtained LL.B. from the University of Dhaka.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 05 October, 1988 and 17 July, 1993 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.





Mr. Justice Md. Habibul Gani

: Alhaj Jahurul Huq Chowdhury Father's name

Mother's name : Late Julekha Begum Date of birth : 31 May, 1962

Obtained M.S.S. and LL.B. from the University of Chittagong.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 03 April, 1989 and 11 April, 1992 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Participated in the International Seminars, Symposiums and Workshops on Law and Justice organized by World Peace Forum.

Visited Canada, Japan, Korea, China, Hong Kong, India, Malaysia, Singapore, Nepal, Bhutan, United Arab Emirates, Saudi Arabia, Thailand, Vietnam, Cambodia and Myanmar.

Mr. Justice Gobinda Chandra Tagore

Father's name : Late Gurubar Tagore Mother's name : Madhumala Tagore Date of birth : 15 May, 1963

Obtained M.A. in Mass Communication & Journalism and LL.B. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 30 April, 1994, 29 September, 1996 and 13 December, 2009 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Visited the then Union of Soviet Socialist Republic (USSR) in 1989, participated in 'Proclamation Ceremony of the Declaration on the Cessation of War and Achievement of World Peace' held on 14 March, 2016 in Seoul, South Korea and also visited India and Singapore.





Mr. Justice Sheikh Hassan Arif

Father's Name : Faizur Rahaman Mother's Name : Hosne Ara Begum : 20 April, 1967 Date of Birth

Justice Sheikh Hassan Arif was elevated as the Judge of the Supreme Court of Bangladesh, High Court Division in 2010. He has delivered various constitutionally important judgments and orders touching human rights, child rights, environmental issues and fiscal laws.

Justice Arif participated in various international conferences including the SAARC Law Conference, Dhaka in 1996, Bangladesh Human Rights Convention of 2005 held in London, UK, AIJA 'Child Protection Conference, Brisbane, Australia in 2011, Second International Summit of the High Courts at Istanbul, Turkey in 2013, the South Asia Judicial Conference on Environment and Climate Change, Dhaka in 2016, and the first South Asia Regional Judicial Colloquium on Reproductive Rights, Nepal in 2019, and made remarkable contributions through his research, deliberations and speeches. He takes special interest in child rights, human rights and climate change issues and, accordingly, delivers speeches on those issues in national and international seminars, symposium and conferences on a regular basis. He contributes, on regular basis, as a resource person in the training of judicial officers organized by the Judicial Administration Training Institute (JATI), Dhaka. He is now serving as a member of the Special Committee of the Supreme Court of Bangladesh on Child Rights and has been contributing in implementation of the UN Child Rights Convention (CRC) in Bangladesh. He is the editor of 'Supreme Court Online Bulletin (SCOB)', the only online law journal/report published by the Supreme Court of Bangladesh.

Justice Arif did his LL.B and M.S.S from the University of Chittagong, LL.B (Honors) from the University of Wolverhampton, UK and Postgraduate Diploma in Professional and Legal Skills from the then ICSL, City University, London, UK before being called to the Hon'ble Society of Lincoln's Inn, London, UK as a Barrister-At-Law.

Mr. Justice J.B.M. Hassan

Father's name : Late A.F.M. Shamsuddin Mother's name : Late Nur Mohal Begum

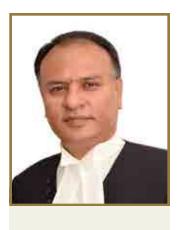
Date of birth : 10 January, 1968

Obtained LL.B. (Hons) and LL.M. from the University of Rajshahi.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 10 May, 1992, 22 January, 1994 and 21 July, 2004 respectively.

Elevated as Additional Judge of the High Court Division on 18 April, 2010 and appointed Judge of the same Division on 15 April, 2012.

Participated in the International Workshop held in Bangkok, Thailand and workshop for SAARC High Court Judges held in the National Judicial Academy, Bhopal, India.





Mr. Justice Md. Ruhul Quddus

Father's name : A F M Azizur Rahman

Mother's name : Rahela Khatun Date of birth : 07 December, 1962

Justice Md. Ruhul Quddus was elevated as an Additional Judge of the High Court Division of the Supreme Court of Bangladesh on 04 November, 2010 and as a Judge thereof on 15 October, 2012.

Justice Quddus obtained Bachelor of Arts in English and Masters in Social Science from the University of Rajshahi, and Bachelor of Laws under the same University. He was elected as the General Secretary of Rajshahi University Central Students Union for consecutive two terms. He was enrolled with Bangladesh Bar Council as an Advocate on 19 April, 1993 and started law practice. He was permitted to practice in the High Court Division on 29 September, 1996 and the Appellate Division on 15 January, 2009. He was the Legal Adviser to Bangladesh Legal Aid and Services Trust (BLAST), a leading human rights and legal aid organization, and also to the Board of Intermediate and Secondary Education, Rajshahi till his elevation. He was an active public interest litigant and General Secretary of the Association for Democratic and Constitutional Advancement of Bangladesh (ADCAB).

Justice Quddus participated in International conference, workshop, training and orientation programs on Human Rights, Public Interest Litigation and Police Reform held in India, Nepal and the USA. He represented the Supreme Court of Bangladesh as one of its two delegates in the 2nd China-ASEAN Justice Forum held on 6-10 June, 2017 in Nanning, China.

Mr. Justice Md. Khasruzzaman

Father's name : Md. Shamsul Haque

Mother's name : Saria Begum : 28 October, 1968 Date of birth Obtained LL.B. (Hons) and LL.M.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 16 August, 1994 and 29 September, 1996 respectively.

Elevated as Additional Judge of the High Court Division on 04 November, 2010 and appointed Judge of the same Division on 15 October, 2012.

Participated in the Training Programme on "Mutual Legal Assistance" Conducted by US Department of Justice.

Visited India and Malaysia. He has attended "Conference on Corporate Governance" held at Manila organized by the ADB. Besides, he has attended and spoke at important seminars on legal issues.

He has contributed many articles (on legal matters) in the journal section of the law reporters and in the reputed weeklies etc, from 1990 onward.





Mr. Justice Farid Ahmed

Father's name : Late Md. Mahar Ali Mother's name : Late Bana Bibi Date of birth : 01 January, 1960

Obtained B.A. and LL.B. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and Appellate Division of the Supreme Court of Bangladesh on 17 October, 1985, 06 October, 1988 and 08 November, 2006 respectively.

Elevated as Additional Judge of the High Court Division on 04 November, 2010 and appointed Judge of the same Division on 15 October, 2012.

Participated Common Wealth Young Lawyers Course (1993) held in UK and Regional Consultation held in Pakistan (2008).

Mr. Justice Md. Nazrul Islam Talukder

Father's name : Late Sajibuddin Talukder

Mother's name : Late Sahidan Bibi : 01 December, 1964 Date of birth

Obtained LL.B. (Hons) and LL.M. from the University of Rajshahi.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 16 October, 1991, 21 August, 1993 and 12 May, 2008 respectively.

Elevated as Additional Judge of the High Court Division on 04 September, 2010 and appointed Judge of the same Division on 15 October, 2012.

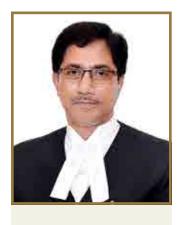
Participated in the International Training on Trans-border Money Laundering held in University of Wollongong, Australia in 2009.

Participated in the Launching Event of the Global Judicial Integrity Network, a platform to assist judiciaries in strengthening judicial integrity and preventing corruption within the Judicial system, held in Vienna, Austria in 2018.

Participated in the Exposure Visit Programme of the Supreme Court Special Committee on Child Rights to Sri Lanka in April-May 2018.

Visited India, Egypt, Libya, Oatar, Australia, Thailand, Malaysia, Sri lanka, Singapore, Austria, France, Germany, Turkey and England.





Mr. Justice Md. Akram Hossain Chowdhury

Father's name : Md. Belayet Hossain Chowdhury

Mother's name : Begum Shamsunnahar

Date of birth : 25 April, 1959

Obtained LL.B. from the University of Dhaka.

Enrolled as an Advocate of Dhaka District Court and the High Court Division of the Supreme Court of Bangladesh on 26 October, 1987 and 30 October, 1989 respectively. Acted as Deputy Attorney General since 21 February, 2009 untill elevation to the Bench.

Elevated as Additional Judge of the High Court Division on 12 December, 2010 and appointed Judge of the same Division on 10 December, 2012.

Successfully completed the "Mutual Legal Assistance Training" conducted by the US Department of Justice, held in May-2009.

Visited India, Bhutan, Nepal and Saudi Arabia.

Mr. Justice Md. Ashraful Kamal

Father's name : Abdul Gofran

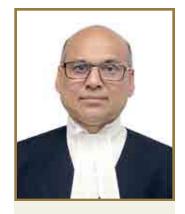
Mother's name : Ashraf Jahan Begum : 30 November, 1964 Date of birth

Obtained M. Com. in Management and LL.B. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 30 April, 1994, 26 September, 1996 and 24 August, 2010 respectively.

As a Lawyer of the Supreme Court of Bangladesh, Justice Kamal also participated in the 16th Edition of the International Association of Democratic Lawyers Congress in Paris, France in 2005 on the theme of "Law and Lawyers in the Service of the People for Peace, Justice and Development". He was the counsel in an International Arbitration Case at Karachi in 2005. Elevated as Additional Judge of the High Court Division on 12 December, 2010 and appointed Judge of the same Division on 10 December, 2012. He has participated in a range of international colloquia including the Second Asian Judges' Symposium on Environment, on the theme of Natural Capital and the Rule of Law, held Manila, the Philippines in 2013. Much more recently, Justice Kamal participated in the Commonwealth Asia High Level Regional Dialogue in November 2013, held in Kuala Lumpur, Malaysia on the issue of "Strengthening Equality and Equal Protection of the Law: Reforming Laws that Discriminate". Justice Kamal has also been invited for working visit to various courts in foreign jurisdictions, such as one to the Palace of Justice in Malaysia (which houses both the Malaysian Court of Appeal and the Federal Court) on the 21st of November 2019, as well as a working visit to the Tripura High Court in India in 2013. Justice Kamal has delivered various constututionally important judgements and orders regrarding human rights, health rights, company law, trademark and patent law. His speciality is however constitutional law, with his most landmark judgement being regarding the 16th Amendment in "Advocate Asaduzzaman Siddiqui and others v Bangladesh (Writ Petition Number 9989/2014)" where he gave the dissenting opinion, and environmental law regarding legal personhood of rivers in the case of "Human Rights and Peace for Bangladesh v Bangladesh (Writ Petition Number 13989/2016)" where he was the author of the judgment. He also gave a significant judgment regarding Artical 70 of the Constitution of Bangladesh.

Visited India, Pakistan, Nepal, Bhutan, Malaysia, Singapore, England, Scotland, The Netherlands, Italy, France, Belgium, USA and the Philippines.



Mr. Justice K.M. Kamrul Kader

Father's name : Late Advocate K.M. Fazlul Kader

Mother's name : Bagum Aysha Kader

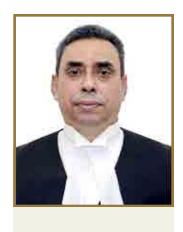
Date of birth : 09 June, 1964

Obtained LL.B. (Hons.), LL.M. from the University of Rajshahi, LL.B. (Hons.) from University of Wolverhampton, U.K., Barrister-at-law, Lincoln's Inn, London, U.K.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 26 October, 1987 and 09 October, 1990 respectively.

Elevated as Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge of the same Division on 07 October, 2013.

Visited India, Nepal, Kingdom of Saudi Arabia, United Kingdom and United Arab Emirates.





Mr. Justice Md. Mozibur Rahman Miah

Father's name : Late Md. Yusuf Ali Miah Mother's name : Late Mst. Sharifa Khatun

Date of birth : 04 July, 1965

Obtained LL.B. (Hons.) and LL.M. from the University of Rajshahi.

Enrolled as an Advocate at Dhaka Judge Court and the High Court Division of Supreme Court of Bangladesh on 09 February, 1992 and 24 April, 1993 respectively.

Performed as Deputy Attorney General from 09 February, 2009 till elevation to the Bench.

Elevated as Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge to the same Division on 07 October, 2013.

Appointed Member of the International Crimes Tribunal-2 (ICT-2) on 13 December, 2012 and discharged function therein till 15 September, 2015.

Participated in SAARC Law Conference held in Dhaka, Bangladesh in 1996.

Also participated in the Mutual Legal Assistance Training Program as Deputy Attorney General held in Dhaka, Bangladesh in 2009 conducted by the U.S. Department of Justice.

Attended in "the 20th International conference of Chief Justices of the world" organized by City Montessorie School Lucknow, India held in New Delhi and Lucknow, India from 6 November to 12 November, 2019.

Visited India, Singapore, Malaysia, Thailand, Canada and USA.

Mr. Justice Mustafa Zaman Islam

Father's name : Late Muzaharul Islam

Mother's name : Rokeya Khaton :10 February, 1968 Date of birth

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 19 May, 1991, 13 March, 1993 and 28 December, 2010 respectively.

Elevated as Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge of the same Division on 07 October, 2013.

Participated in SARRC Law conference, 1996, held in Bangladesh and in the Mutual Legal Assistance Training as Deputy Attorney General conducted by the U.S Department of Justice held in Bangladesh in 2009.

Participated in the Working procedure of Customs, VAT, and Income Tax under the National Board of Revenue in 2015.

Participated in the Bangladesh-United States Judicial education exchange programme in Washington D.C in 2016.

Participated in the South Asia Judicial conference on Environment and Climate Change, held in Bangladesh in 2016.





Mr. Justice Mohammad Ullah

Father's name : Late Shakhawat Ullah Mother's name : Mst. Afrazunnessa : 18 March, 1970 Date of birth

Obtained LL. B. (Hons) and LL. M. from the University of Rajshahi.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 30 April, 1994, 12 August, 1995 and 13 January, 2011 respectively.

Elevated as Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge of the same Division on 07 October, 2013.

Participated in an international seminar "Bangladesh-US Legal Seminar-2003" on Operational Law held in Dhaka, Bangladesh 25-29 May, 2003.

Mr. Justice Muhammad Khurshid Alam Sarkar

Father's name : Alhaj M.A. Sattar Sarkar Mother's name : Begum Asma Sattar Date of birth :01 March, 1972

Obtained LL.B. (Hons), LL.M. from the University of Dhaka and also further LL.B. (Hons) from the University of Northumbria, United Kingdom. Achieved the professional qualification of Barrister-at-Law from Gray's Inn.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 01 April, 1995, 07 March, 1996 and 24 August, 2010 respectively.

Elevated as an Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge of the same Division on 07 October, 2013.

Visited USA, UK, Canada, Switzerland, France, Germany, Italy, Austria, Thailand, Malaysia, India, Pakistan and Nepal.





Mr. Justice A.K.M. Shahidul Huq

Father's name : Late Alhaj Mohammad Nurul Huq

Senior Advocate Supreme Court of Bangladesh

Mother's name : Late Alhejja Jahan Ara Begum

Date of birth : 29 December, 1955

Obtained LL.B. (Hons) and LL.M. the University of Dhaka. Ex BCS (Judicial).

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 22 August, 1981, 04 September, 1983 and 04 July, 1993 respectively.

Elevated as Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge of the same Division on 07 October, 2013.

Visited India, UK, Thailand, Singapore and Kingdom of Saudi Arabia.

Mr. Justice Shahidul Karim

Father's name : A.K.M. Rezaul Karim Mother's name : Mst. Saleha Begum Date of birth : 11 March, 1958

Obtained LL.B. (Hons), LL.M. from the University of Dhaka.

Joined the Judicial Service as Munsif on 20 April, 1983 and promoted as District and Sessions Judge on 24 February, 2000.

Elevated as Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge of the same Division on 07 October, 2013. Participated in international level workshops on Human Rights held in the Philippines and Sri Lanka, 1999. Obtained Diploma on Human Rights and Environment Law from the American University in Washington D.C in 2000. Also participated in a number of International Seminars on law and justice in India, UK and the Netherlands and visited Canada and England to get acquainted with their legal aid activities.





Mr. Justice Md. Jahangir Hossain

Father's name : Late Dr. Md. Helal Uddin Hossain

Mother's name : Sakhina Begum Date of birth : 01 February, 1959 : Kishoregonj, Bangladesh Place of birth

Obtained LL.B. (Hons), LL.M from the University of Dhaka.

Joined the Judicial Service as Munsif (Assistant Judge) on 22 February, 1984. Promoted as District & Session Judge on 28 April, 2009.

Worked as Joint District Judge, Additional District Judge and Judge of Artha-Rin Adalat, Judge of Nari-O-Shishu Nirjatan Daman Adalat, District and Session's Judge of Dhaka,

D.G (Director General) of Anti-Corruption Commission.

Worked as Regional Administrator and as Judge in the Court of (UNTAET) under United Nation's. While working as the Regional Administrator of East Timor, ran general administration of the region and supervised the functions of GO'S and NGO's working in the areas of development. Maintained liaison between relevant GO'S (Police, Army, Civil Administrator) of United Nations. Elevated as Additional Judge of the High Court Division, Supreme Court of Bangladesh on 20 October, 2011 and appointed Judge of the same Division on 20 October, 2013. Foreign Training under (UNTAET) UN: Case Management and Court Administration, Juvenile Justice & UN Convention on the Rights of the Child, Gender Issue and Human Rights and Rule of Law, Settlement of Minor Crimes thorough Diversion Process, Domestic Violence & Family Dispute; Fast Track Justice. Participated in the international seminars held in UN, Qatar, Bhutan and Nepal.

Visited France, England, Italy, Vatican, America, Canada, Australia, Indonesia, Malaysia, Singapore, Thailand, East Timor and India.

Justice Md. Jahangir Hossain recruited by United Nations through a World wide competitive process and deployed in East Timor to the position of Administrator and as the legal and judicial Affairs Officer. While working as the Regional Administrator of East Timor, responsibility was to run the general administration of the region and supervise the functions of GO'S and NGO's working in the areas of development, law & order and dispensation of justice. Used to liaison between relevant GO'S (police, army, civil officers) of United Nations Transitional Administration in East Timor (UNTAET), on the one hand, International Agencies on the other.

Mr. Justice Abu Taher Md. Saifur Rahman

Father's name : Md. Abdul Jabber Sarker Mother's name : Mrs. Umme Salma Khatun

: 31 December, 1966 Date of birth

Obtained LL.B. (Hons), LL.M from the University of Dhaka and LL.B. (Hons) from University of Wolverhampton, UK & Barrister-at-law (Hon'ble Society of Lincoln's Inn, London, UK.)

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 19 May, 1991 and 12 December, 1992 respectively.

Elevated as Additional Judge of the High Court Division on 20 October, 2011 and appointed Judge of the same Division on 07 October, 2013.

Visited UK and India.





Mr. Justice Ashish Ranjan Das

Father's Name : Late Jogesh Chandra Das

Mother's Name : Late Gayatri Das Date of Birth : 29 January, 1958

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Joined Judicial Service as Munsif on 20 April, 1983 and promoted as District and Sessions Judge on 24 February, 2000.

Promoted and worked as Secretary (In-charge), Law and Justice Division, Ministry of Law, Justice and Parliamentary Affairs (2011-2012).

Elevated as Additional Judge of the High Court Division on 14 June, 2012 and appointed Judge of the same Division on 12 June, 2014.

Mr. Justice Mahmudul Hoque

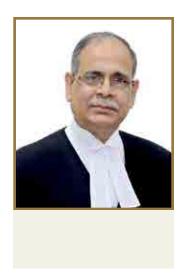
Father's Name : Late Noor Hossain Mother's Name : Late Mabiya Khatun : 13 December, 1958 Date of Birth

Obtained M.A. and LL.B. from the University of Chittagong.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 26 September, 1984 and 08 January, 1987 respectively.

Elevated as Additional Judge of the High Court Division on 14 June, 2012 and appointed Judge of the same Division on 12 June, 2014.

Visited India, Malaysia, Saudi Arabia, Thailand, Indonesia, Singapore and United States of America.





Mr. Justice Md. Badruzzaman

Father's Name : Late Md. Sadar Uddin Mondal

Mother's Name : Mrs. Sahar Banu Date of Birth : 06 September, 1969 Obtained LL.B. (Hons) and LL.M.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 30 April, 1994 and 29 September, 1996 respectively.

Elevated as Additional Judge of the High Court Division on 14 June, 2012 and appointed Judge of the same Division on 12 June, 2014.

Visited India, Nepal, UK, USA, United Arab Emirates and Thailand.

Mr. Justice Zafar Ahmed

Father's Name : Nazir Ahmed Bhuiyan

Mother's Name: Rokey Begum Date of Birth : 04 January, 1970

Obtained LL.B. (Hons), LL.M from the University of Dhaka and LL.B. (Hons) from London Metropolitan University, UK & Bar Vocational Course (BVC), BPP

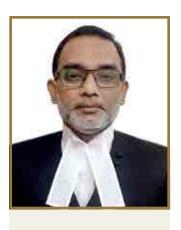
Professional School, London, UK.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh in 1994 and 1995 respectively.

Elevated as Additional Judge of the High Court Division on 14 June, 2012 and appointed Judge of the same Division on 12 June, 2014.

Participated in Continuing Legal Education Programme (CELP) organized and conducted by the Bangladesh Bar Council and achieved "Excellent" grade.

Visited United Kingdom and United Arab Emirates.





Mr. Justice Kazi Md. Ejarul Haque Akondo

Father's Name : Late Md. Ismail Hossain Akondo

Mother's Name : Most. Hasina Begum

Date of Birth : 24 May, 1971

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 01 April, 1995 and 30 October, 1997 respectively.

Acted as Deputy Attorney General from February 2009 till elevation to the

Elevated as Additional Judge of the High Court Division on 14 June, 2012 and appointed Judge of the same Division on 12 June, 2014.

Attended in the prosecution training workshop, organized by the Commonwealth Secretariat on "Investigation and Prosecution of Hi-Tech Crime-Technological Challenges and Practical Solutions", held in Male, The Maldives, in 2010.

Visited United Arab Emirates (UAE), The Maldives, India, Bhutan, Indonesia, Thailand, Singapore and Malaysia.

Mr. Justice Md. Shahinur Islam

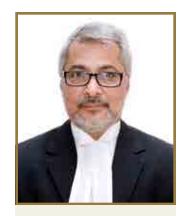
Father's Name : Late Md. Serajul Islam Mother's Name: Late Shamsun Nahar Islam

Date of Birth : 07 April, 1958

Obtained LL.B. (Hons) from the University of Rajshahi. Joined the Judicial Service as Munsif on 20 April, 1983 and promoted as District and Sessions Judge on 13 January, 2001 and worked as District and Sessions Judge in Narail, Habiganj and Member, Administrative Tribunal Dhaka. After serving as the Registrar of International Crimes Tribunal [ICT-BD] since April 2010 he was appointed Member of the second Tribunal (ICT-2) on 22 March, 2012.

Elevated as Additional Judge of the High Court Division on 05 August, 2013, under article 98 of the Constitution and later on re-appointed as a Member of International Crimes Tribunal-2. Elevated as Judge of the High Court Division on 05 August, 2015, under article 95 of the Constitution. Since 11 October, 2017 he has been working as the Chairman of International Crimes Tribunal (ICT-BD). Participated a training course on 'economic development and regional development strategies' held in Seoul, South Korea [April 2001], '2nd biennial conference on war crimes' organized by IALS (Institute of Advanced Legal Studies), University of London, UK and SOLON [March, 2011]. He participated a regional expert symposium organized by the ICTJ, Asia Division on 'the challenges to prosecute war crimes' held in Jakarta, Indonesia [November 2011]. He visited the ICTY, ICC, STL in The Hague, Netherlands and had discussion with some distinguished Judges and experts of ICTJ [October 2011]. He also visited India. On 13-14 April, 2018 he attended conference on "Frontiers Prevention organized by the Institute for Genocide and Mass Atrocity Prevention [IGMAP], Binghamton University, NY, USA and presented a paper titled "Prevention Through Prosecuting International Crimes in a Domestic Tribunal: Bangladesh".

He also presented a paper titled "Militarization in Bangladesh: How it Endorsed a Culture of Impunity and Abused the Rule of Law" in an international conference in November 2018 organised by the Institute for Asia Diasporas [IAAD], Binghamton University, NY, USA.





Madam Justice Kashefa Hussain

Father's Name : Late Justice Syed Muhammad Hussain

Received Swadhinata Padak, 1997 (Posthumous)

Mother's Name: Mrs. Suraiva Hussain

Date of Birth : 01 July, 1958

Obtained B.A. (Honors) and M. A. in English Literature from Department of English, University of Dhaka; LL.B. from University of Dhaka, LL.M. from University of London; Diploma in French Language from Alliance Francaise, Dhaka. Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 12 October, 1995 and on 27 April, 2003 respectively. Elevated as Additional Judge of the High Court Division on 05 August, 2013 and appointed Judge of the same Division on 05 August, 2015.

Visited USA, UK, France, Switzerland, Italy, Greece, Spain, Sweden, Finland, Turkey, Bahrain, Japan, Thailand, Singapore, China, Hong Kong, Malaysia, Indonesia, the Vatican, India, Nepal, Uzbekistan, Hungary, Czech Republic, Austria and Portugal.

Mr. Justice S.M. Mozibur Rahman

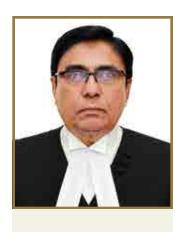
Father's Name : Late Fazlur Rahman Mother's Name : Late Foyezun Nesa Begum

Date of Birth : 12 July, 1955

Obtained B.A. (Hons) in Education, and LL.B. degree from the University of Chittagong. Joined the Judicial service as Munsif (Assistant Judge) on 22 February, 1984 and promoted as District and Sessions Judge on 09 May, 2007.

Elevated as Additional Judge of the High Court Division on 12 February, 2015 and appointed Judge of the same Division on 12 February, 2017.

Served as Senior Research Officer, Law Commission, Dhaka and Deputy Solicitor/Deputy Secretary, Ministry of Law, Justice and Parliamentary Affairs, Dhaka. Former Judge, Nari-O-Shishu Nirjatan Damon Tribunal, Jamalpur; Judge, Jono Nirapatta Bighnakari Aporadh Damon Tribunal, Chattogram; District and Sessions Judge, Potuakhali and Metropolitan Sessions Judge, Chattogram.





Mr. Justice Amir Hossain

Father's Name : Alhaj Abdus Samad Mother's Name : Alhaj Syedunnesa : 30 November, 1957 Date of Birth

Obtained LL.B. (Hons), LL.M. from the University of Dhaka. Was elected as a member of Dhaka University Central Students' Union in 1980.

Joined the Judicial Service as Munsif (Assistant Judge) on 22 February, 1984 and promoted as District and Sessions Judge on 06 May, 2009.

Elevated as Additional Judge of the High Court Division on 12 February, 2015 and appointed Judge of the same Division on 12 February, 2017. On 11 October 2017, he was appointed as a member of the International Crimes Tribunal-1, Bangladesh.

Participated in the Liberation war of Bangladesh in 1971 as a Freedom Fighter and participated in direct battlefield engagement in the then Sunamgani, Netrakona and Kishoregani Sub-division.

Participated in many seminars, workshops, law conferences and visited Australia, Switzerland, China, Indonesia, Singapore, South Korea, India, Dubai, Holy Mecca (Saudi Arabia), Turkey, Germany, Luxemburg, Belgium, France, United Kingdom, Canada and the Netherlands.

Visited India, Singapore, Malaysia, Thailand, Canada and USA.

Mr. Justice Khizir Ahmed Choudhury

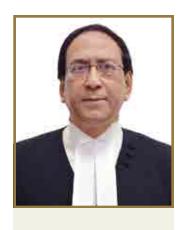
Father's Name : Late Aklakul Ambia Choudhury Mother's Name : Late Jahanara Khanom Choudhury

: 24 November, 1959 Date of Birth

Obtained B.A. and LL.B. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 18 March, 1986, 30 April, 1989 and 13 December, 2009 respectively.

Elevated as Additional Judge of the High Court Division on 12 February, 2015 and appointed Judge of the same Division on 12 February, 2017.

Visited England, France, Belgium, Germany, Turkey, the Netherlands, Malaysia, Indonesia, Thailand, India, Nepal, Bhutan, Singapore, Vietnam, United Arab Emirates, U.S.A., Canada and Sri Lanka.





Mr. Justice Razik-Al-Jalil

Father's Name : Late Justice Md. Abdul Jalil Mother's Name : Late Syeda Hazera Jalil Date of Birth : 22 November, 1962

Obtained BSS (Hons), MSS (Political Science) and LL.B. Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 15 September, 1992 and 28 January, 1995 respectively.

Elevated as Additional Judge of the High Court Division on 12 February, 2015

and appointed Judge of the same Division on 12 February, 2017.

Visited Russia, Singapore and India.

Mr. Justice Bhishmadev Chakrabortty

Father's Name : Keshab Chakrabortty Mother's Name : Suniti Chakrabortty

Date of Birth : 02 July, 1967

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 11 October, 1993, 28 January, 1995 and 24 August, 2010 respectively.

Elevated as Additional Judge of the High Court Division on 12 February, 2015 and appointed Judge of the same Division on 12 February, 2017.

Participated in "ADB-CITES Conference: Innovative Enforcement Strategies to Combat Wildlife Crime and Uphold the Rule of Law" held in Thailand in 2013; "Mutual Legal Assistance Training" conducted by the US Department of Justice at the Office of the Attorney General for Bangladesh in May, 2009.

Visited Thailand and India.





Mr. Justice Md. Igbal Kabir

Father's Name : Dr. Md. Tojammal Hoque Mother's Name : Most. Ayasha Khatoon Date of Birth : 10 November, 1967

Obtained LL.M. from the University of Dhaka. Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 10 May, 1992 and 24 January, 1995 respectively.

Elevated as Additional Judge of the High Court Division on 12 February, 2015 and appointed Judge of the same Division on 12 February, 2017.

Acted as Principal of Dhanmondi Law College.

Visited India, Pakistan, Nepal, Sri Lanka, Bhutan, Iran, Dubai, Kenya, Tanzania, Korea, the Philippines, Mexico, USA, Germany, Swaziland, Australia, Canada, Hong Kong, Finland, Sweden, Switzerland, Turkey, The Maldives, Singapore, Malaysia, Indonesia, Belgium, Myanmar and The Netherlands.

Mr. Justice Md. Salim

Father's Name : Late Md. Jamal Uddin Mother's Name : Late Asiyea Khanum : 11 September, 1969 Date of Birth

Obtained LL.B. (Hon's) and LL.M. from the University of Rajshahi.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 31 August, 1996, 01 February, 1997 and 24 August, 2010 respectively.

Elevated as Additional Judge of the High Court Division on 12 February, 2015 and appointed Judge of the same Division on 12 February, 2017. Participated in International Conference of "Hi-Tech Crime Technological Challenges and Practical Solution" conducted by Commonwealth Secretariat held in The Maldives, 2010. Participated in the International Conferences of BIMSTEC, held in 2013. Participated in Workshops on "Labour Law" conducted by (I.L.O) Department of Justice.

participated in Mutual Legal Assistance conducted by U.S Department of Justice. He also participated in Investigation and Prosecution of Financial Crimes Seminar conducted by U.S. Department of Justice.

He participated in South Asia Judicial Conference on "Environment and Climate Change", held in Dhaka, 2016.

Visited Canada, India, the Maldives, Nepal, Singapore, United Arab Emirates and USA.





Mr. Justice Md. Shohrowardi

Father's Name : Late Md. Edrish Ali Mother's Name : Late Jumela Khatoon : 05 December, 1970 Date of Birth

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka. Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 16 August, 1994, 29 September, 1996 and 23 October, 2014 respectively.

Acted as Deputy Attorney General for Bangladesh from 09 February, 2009 till elevation to the Bench. Elevated as Additional Judge of the High Court Division on 12 February, 2015 and appointed Judge of the same Division on 12 February, 2017.

Participated in training programme on Mutual Legal Assistance conducted by U.S. Department of Justice and completed the 'Investigating Terrorist Incidents Course' organized by Bureau of Diplomatic Security, U.S. Department of State. He participated in 'Investigation and Prosecution of Financial Crimes' seminar held on 10-11 April, 2014, organized by United States Department of Justice.

He also participated Asia Pacific Judicial Conference on Environmental and Climate Change Adjudication held on 29-30 October, 2018, Nay Pvi Taw, Myanmar.

Worked as a Member of International Crimes Tribunal-1, Bangladesh from 10 September, 2015-11 October, 2017.

Mr. Justice Md. Abu Ahmed Jamadar

He is a Freedom Fighter.

Father's Name : Alhaj Noor Hossain Jamadar Mother's Name : Alhaj Ameena Khanam

Date of Birth : 16 June, 1957

Obtained M.Sc./LL.B.

Enrolled as an Advocate of the Tangail Bar Association in the year 1983.

Joined the Judicial Service as Munsif on 22 February, 1984 and promoted as District and Sessions Judge on 06 October, 2008.

On 11 October, 2017 he was appointed as Member of the International Crimes Tribunal-1, Dhaka. On 31 May 2018, he was elevated to the High Court Division as an Additional Judge. On 5 July 2018 he was appointed again as Member of ICT-1 and subsequently on 30 May 2020 he was appointed Judge of the High Court Division. He is continuing as a Member of ICT-1. Participated 23 days long training program on Parliamentary Committee System arranged by the German Federal Parliament, Bundestag, Germany in 1994 when posted at the Bangladesh Parliament Secretariat as Assistant Secretary (Law) on Deputation. Participated 7 days long training on Regional Food Security Program arranged by USAID, CARE, Thailand in 2010. Participated in the 2nd Meeting of Governing Board of SAARC Arbitration Council (SARCO) at Islamabad, Pakistan from 18 December to 23 December, 2011. Participated in a 6 days long training program on International Arbitration System arranged by IFC, Singapore International Arbitration Center, Singapore in 2012. Attended 15 days long exposure visit in United Kingdom on Improvement of the Real Situation of Overcrowding in prisons in Bangladesh' arranged by GIZ, United Kingdom in 2012.

He attended 12 days long Joint Study Mission in United Kingdom to look at rehabilitation of prisoners through sentence planning and skills development, restorative justice approaches by police and judiciary arranged by United Kingdom and German Development Cooperation (GIZ) in 2014.

 $Participated\,9\,days\,long\,29th\,AAA/ICC/ICSID\,Joint\,Colloquium\,on\,International$ Arbitration in Washington DC, USA in 2012. As Head of the Delegation, he participated 5 days long South Asia Workshop on "Countering Use of Internet for Terrorist Purposes" arranged by UNODC, New Delhi, India in 2012.

Attended 5 days long 4th ICC International Conference on Mediation arranged by ICC, Paris, France in 2013. Attended 5 days long Study Tour on "To examine how the Independent Commission Against Corruption (ICAC) runs Corruption Prevention activities in Hong Kong" arranged by ICAC, Hong Kong in 2013. Attended 5 days long training program on 'Court Annexed and Court Referred Mediation' arranged by IFC, Hong Kong in 2014. Participated 8 days long IAACA 7th Annual Conference & General Meeting and 5th Conference of the State Parties to the United Nations Convention Against Corruption (UNCAC) arranged by UNCAC, Panama City, Republic of Panama in 2013. As Head of the Delegation, he attended 4 days long Regional Workshop for South Asian Countries on Promoting and Strengthening National Frameworks for the Support of Victims of Terrorism and Related Cooperated by United Nations Office on Drugs and Crime (UNODC), Kathmandu, Nepal in 2014.

Justice Jamadar visited the Netherlands, Malaysia, Saudi Arabia, United Arab Emirates and Qatar.

Technical Assistance (TA) Projects

(i) Justice Md. Abu Ahmed Jamadar was the National Project Director (NPD), Justice Reform and Corruption Prevention (JRCP) Project, German Development Cooperation, GIZ (ii) Justice Jamadar served as Chairman, Program Implementation Committee (PIC), Digitization of Deed Registration Program (iii) Justice Jamadar was the Chairman, Program Implementation Committee, ADR Mechanism (Mediation), BICF, IFC, World Bank Group.

He likes playing Carom and Chess.



Mr. Justice A.S.M. Abdul Mobin

Father's Name : Late A. Hye, Advocate

Mother's Name : Musammat Shamsunnessa Khanam

: 05 February, 1959 Date of Birth

Obtained B.A., LL.B.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 08 March, 1985, 26 February, 1989 and 13 December, 2009 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed Judge of the same Division on 30 May, 2020.

Participated in the International Seminars and Training Programmes held in India, Nepal, Bhutan, Thailand, Singapore, Malaysia, U.K., France, Switzerland and South Korea.

An article on criminal administration of justice was published in 48 DLR Journal

Another article on Nari 'O' Shishu Nirjatan Daman (Bishesh Bidhan) Ain 1995 was published in 49 DLR Journal 55.





Mr. Justice Md. Mostafizur Rahman

Father's Name : Late Zainal Abedin Mother's Name: Mrs. Monjuara Begum Date of Birth : 13 February, 1959

Obtained LL.B. (Hons) from the University of Rajshahi.

Enrolled as an Advocate of the District Court on 26 September, 1984.

Joined the Judicial Service as Munsif on 15 January, 1985 and promoted as District and Sessions Judge on 08 September, 2011.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed Judge of the same Division on 30 May, 2020.

Participated in trainings, workshops and study tours held in India, Thailand, Cambodia, Malaysia, Singapore, South Korea, Malawi (Africa), England, Germany and Australia.

Madam Justice Fatema Najib

Father's Name : Md. Abdul Basir Chowdhury Mother's Name : Late Hosne Ara Begum

Date of Birth : 11 July, 1959

Obtained LL.B. (Hons) from the University of Dhaka.

Joined the Judicial Service as Munsif on 12 November, 1984 and gradually became District and Sessions Judge on 26 September, 2011 after serving all the tiers.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed Judge of the same Division on 30 May, 2020.

Participated in International Training in KOICA, Republic of Korea, participated in consultation Programmes 'on concept of violence against women' held in Netherland and India organized by 'International Association of Women Judges'.

Visited India, Korea, Thailand, the Netherlands, Hong-Kong, Indonesia, the Maldives, Macau, Saudi Arabia and Sri Lanka.





Mr. Justice Md. Kamrul Hossain Mollah

Father's Name : Late Mizanur Rahaman Mollah

Mother's Name : Late Zebun Nesha Begum

: 01 January, 1960 Date of Birth

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Obtained Bar Council Certificate from Bangladesh Bar Council in the year 1983.

Joined as Munsif on 22 February, 1984 and promoted as District and Sessions Judge on 28 April, 2009, Senior District & Sessions Judge on 28 April, 2014. During this period served at different stations as Munsif, Legal Advisor, DG Health, Sub-Judge, Chief Judicial Magistrate, Additional District Judge, Chairman, Court of Settlement, DG Anti-Corruption Commission, (ACC) and Metropolitan Sessions Judge, Dhaka.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed Judge of the same Division on 30 May, 2020.

Participated in an international seminar on Law and Justice organized by United Nations Organization (UNO) at New York, USA in the year 1999. Attended in a training Programme on United Nations Convention against Corruption (UNCAC) at Kuala Lumpur, Malaysia in the year 2011. Participated in a different training program on Judicial System and Administrative Management System organized by Judicial Administration Training Institute (JATI), Bangladesh.

Visited England, France, Germany, India, Italy, Kingdom of Saudi Arabia, Malaysia, Singapore, Switzerland, Thailand & USA.

Mr. Justice S M Kuddus Zaman

Father's Name : S M Hamiz Uddin Mother's Name : Hamida Begum Date of Birth : 12 August, 1960 Obtained LL.B. (Hons), LL.M.

Joined the Judicial Service as Munsif on 22 February, 1984 and promoted as District & Sessions Judge on 09 October, 2006.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020.

Worked as an international judge of the United Nations in East Timor during 2000-2002 and Legal Adviser of UNDP in Sudan during 2007-2010.

Participated in the International Seminars and Training Programmes held in India, Singapore, Turkey, Thailand, USA, UK, Australia, New Zealand, Sudan, East Timor, United Arab Emirates, Kenya, Canada and Malawi.





Mr. Justice Md. Atoar Rahman

Father's Name : Late Alhaj Minhaj Uddin

Mother's Name : Late Lutfun Nesa Date of Birth : 04 May, 1961

Obtained LL.B. (Hons) and LL.M. in the year of 1983 and 1984 respectively from the University of Dhaka.

Joined the Judicial Service as Munsif on 22 February, 1984 and promoted as District and Sessions Judge on 09 October, 2006.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed Judge of the same Division on 30 May, 2020.

Participated in a study tour on 'Urban Management', organized by the Government of Thailand (2002).

Completed a course on 'Municipal Services Project' from the University of Malaya, Malaysia (2002).

Attended an international conference, organized by the Government and Judiciary of Malta as well as permanent Bureau of Hague Conference on 'Private International Law' in Malta (2009).

Participated in a training programme on 'Strengthening Subordinate Judiciary Management', organized by Western Sydney University, Australia (2018).

Visited Australia, India, Kingdom of Saudi Arabia, Malaysia, Malta (Europe), Thailand and United Arab Emirates.

Mr. Justice Khizir Hayat

Father's Name : Shahid Abdul Kader Molla

Mother's Name : Late Jamila Khatun Date of Birth : 24 January, 1967

Obtained B.S.S. (Hons), M.S.S. (Political Science), DU, M.Phil (Human Rights and Rule of Law) DU, LL.B. (DU) and Ph.D fellow from Dhaka University.

Enrolled as an Advocate of the Dhaka District Court and the High Court Division of the Supreme Court of Bangladesh on 06 August, 1997 and 09 February, 2001 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020.

Visited Kingdom of Saudi Arabia, Singapore, Malaysia and Abu Dhabi.





Mr. Justice Sashanka Shekhar Sarkar

Father's Name : Manindra Nath Sarkar Mother's Name : Sushila Prova Sarkar : 06 June, 1968 Date of Birth

Obtained LL.B. (Hons), LL.M. from the University of Dhaka.

Enrolled as an Advocate of the Dhaka District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 15 September, 1992, 22 January, 1994 and 28 December, 2010 respectively.

Appointed as Deputy Attorney General for Bangladesh on 09 February, 2009 and performed till 30 May, 2018.

Represented the Learned Attorney General for Bangladesh in BDR (Now BGB) Mutiny Trial at Rajshahi, Naogao, Chapainawabganj, Satkhira, Khulna and Jessore Sectors.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed Judge of the same Division on 30 May, 2020.

Mr. Justice Mohammad Ali

Father's Name : Mohammad Anwar Mother's Name : Mrs. Badiuzzamel : 15 December, 1969 Date of Birth

Obtained LL.B. (Hons), LL.M. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 16 August, 1994, 07 March, 1996 and 20 March, 2018 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020.

Visited United Kingdom for study. Also visited Indonesia and India.





Mr. Justice Mohi Uddin Shamim

Father's Name : Late Tofail Ahmed Miah Mother's Name : Late Umdatun Nesa Date of Birth : 19 May, 1970

Obtained LL.B. (Hons), LL.M. from the University of Dhaka, LL.B. (Hons), University of Wolverhampton, UK, Bar Vocational Course (BVC) from University of Northumbria, UK, Barrister-at-Law of Lincoln's Inn.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 01 April, 1995 and 20 April, 2005 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020.

Visited UK, USA, Canada, Switzerland, India, Indonesia and Qatar.

Mr. Justice Md. Riaz Uddin Khan

Father's Name : Bazlur Rahman Khan

Mother's Name: Ummey Kulsum Anwara Begum

Date of Birth : 15 December, 1970

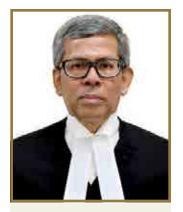
Done his primary education at his own village obtaining talent-pool scholarship in class Five. Then he studied at Barisal Zilla School and thereafter went to Barisal Cadet College where he studied from class Seven to class Twelve. He was selected as the Cultural Prefect of Hossain Shahid Suhrawardy House of Barisal Cadet College in 1987-88. He obtained LL.B (Honours) and LL.M degree from the University of Dhaka in 1993 and 1994 respectively.

Enrolled as an Advocate with the Bangladesh Bar Council on 01 April, 1995 and became the member of Dhaka Bar Association. Then was enrolled as an Advocate of the High Court Division and Appellate Division of the Supreme Court of Bangladesh on 29 September, 1996 and 12 May, 2011 respectively and since then practiced in both the Divisions of the Supreme Court of Bangladesh till the elevation as an Additional Judge of the High Court Division. A number of cases conducted by him have been reported in various law journals including DLR, BLC and BLD. He obtained special training on Human Rights and International Law, arranged by Humanist and Ethical Association of Bangladesh. Recently he explored an online course on The Art of Persuasive Writing and Public Speaking under Harvard University. Elevated as Additional Judge of the High Court Division on 31 May, 2018 under Article 98 of the Constitution and appointed as Judge of the High Court Division on 30 May, 2020 under Article 95 of the Constitution. Presented Keynote papers on various subjects and also act as the Editor of the journal of Society for Legal Studies, a law research organization of Dhaka University.

Attended seminars and symposiums on "International Conference on Public Interest Litigation", "International Conference on Economic, Social and Cultural Rights" and "International Moot Court on Public Interest Litigation". Besides those he attended many national seminars, symposium and discussion meetings organized by various organizations.

Personally interested in Public International Law, Comparative Law, Constitutional Law, Environmental Law and Women & Human Rights. He likes to read books (both fiction and non-fiction), hear music, to travel, to engage social welfare activities and helping people in need.

Visited Thailand and India.



Mr. Justice Md. Khairul Alam

Father's Name : Md. Abdul Mazed Miah Mother's Name : Mst. Sufia Khatun Date of Birth : 15 November, 1971

Obtained LL.B. (Hons), LL.M.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 03 March, 1997 and 30 October, 1997 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020.





Mr. Justice S.M. Maniruzzaman

Father's Name : Late Kosim Uddin Mother's Name : Late Aklima Begum Date of Birth : 01 February, 1972

Obtained LL.B. (Hons), LL.M.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 13 April, 1996, 30 October, 1997 and 01 March, 2018 respectively. Appointed as Assistant Attorney General and appointed as Deputy Attorney General for Bangladesh on 20 April, 2009 and 10 April, 2011 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020. Awarded "Certificate of Merit" by the World Customs Organization for rendering exceptional service to the International Customs Community, 2014.

Participated in the International Legal Consortium Seminar on "Tobacco Control Legal Issue" held on 28-29 October, 2017, Bangalore, India.

Visited Nepal, Indonesia and India.

Mr. Justice Ahmed Sohel

Father's Name : Late Justice Muhammad Ansar Ali

Mother's Name: Mrs. Raushan Ara Begum

Date of Birth : 13 March, 1972

Obtained B.Sc (Hons), M.Sc in Geography and Environment from the University of Dhaka, LL.B. (Hons) from University of Wolverhampton, UK, Barrister-at-law, ICSL, Lincoln's Inn, UK, Post Graduate Diploma in Legal Skills from City University, London, UK. He started his legal profession in 2002 in the United Kingdom in a Law Firm called 'Malik & Michael'. During that period he regularly appeared before various Tribunals and Courts in the UK. Thereafter, in Bangladesh after being enrolled as an Advocate, he started his practice before the Hon'ble High Court Division and later on before the Hon'ble Appellate Division of the Supreme Court of Bangladesh till elevation to the Bench. Elevated as Additional Judge of the Supreme Court of Bangladesh, High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020. Participated in many International Seminars, Workshops and Conferences held in United Kingdom on Human Rights, Legal Aid, Pro Bono Legal Services and on International Arbitration. Attended Rotary International Conference in Bhutan. Delivered speech as a Chief Guest on 19 September, 2018 in the 4th Advance Training on 'International Arbitration and Mediation' jointly organized by Bangladesh International Mediation Society (BIMS) and Kovise Foundation, India held in Dhaka, Bangladesh.

Delivered speech as a 'Guest of Honour' in the International conference on 'Role of Mediation in Resolving Disputes' held in Dhaka, on 26 December, 2020 organized by BIMS. He has lectured on several occasions for 'Judges Training' of the subordinate judiciary on 'Introduction to International Mediation' and 'Forty (40) Hours Mediation Training' for Judges organized by (BIMS).

Received 'The Rotary Foundation District Service Award' from the Rotary Club of 'Dhaka Water Bridge'. Recognised as 'Paul Harris Fellow' by Rotary International Club, USA for contribution towards the welfare of the society.

Founder Secretary of 'British-Bangladesh Lawyers Association' UK. Elected as Executive Committee Member of 'Barristers Association of Bangladesh' in the year of 2006-2007. Written a good number of articles on different topics of law in particular on Cyber Crime, International Arbitration, Mediation, Environmental Law and on different legal problems relating to 'Judiciary'. All these articles were published in different law journals and also in National Newspapers.

Visited England and Wales, France, Switzerland, Belgium, Netherlands, Australia, Singapore, Malaysia, Thailand, India, Nepal and Bhutan.



Mr. Justice Sardar Md. Rashed Jahangir

Father's Name : Late Sardar Md Janangir Mother's Name : Begum Rawshan Akter Banu

: 05 December, 1972 Date of Birth

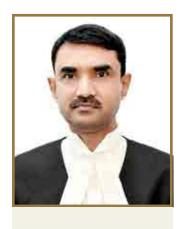
Obtained LL.B. (Hons), LL.M.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 12 October, 1995, 10 July, 1999 and 29 March, 2018 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020.

Participated in the Regional Meeting for South and South East Asian countries on effective Central Authorities for international Judicial cooperation in terrorist cases, including cases involving Foreign Terrorist Fighters, held in Kandooma, the Maldives on 7-9 November, 2017, organized by UNODC and CTED.





Mr. Justice Khandaker Diliruzzaman

Father's Name : Late Khandaker Habibur Rahman

Mother's Name : Late Nurjahan Khandaker

Date of Birth : 23 April, 1973

Obtained LL.B. (Hons), LL.M. from the University of Rajshahi.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 12 December, 1999 and 09 February, 2001 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed judge of the same Division on 30 May, 2020.

Participated in the Commonwealth Secretariat prosecution Training Programme Asia/Pacific in May 2009.

Visited U.S.A., Australia and India.

Mr. Justice K.M. Hafizul Alam

Father's Name : K.M. Amir Hossain Mother's Name : Hasina Begum Date of Birth : 03 March, 1974 Obtained LL.B. (Hons), LL.M.; PhD

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 29 January, 2002, 27 April, 2003 and 29 March, 2018 respectively.

Elevated as Additional Judge of the High Court Division on 31 May, 2018 and appointed Judge of the same Division on 30 May, 2020. Appointed as a Member of the International Crimes Tribunal, Dhaka on 14 October, 2021.

Visited United Kingdom, Malaysia, Thailand, India, Nepal and Qatar.





Mr. Justice Muhammad Mahbub Ul Islam

Father's Name : Alhaj Muzaffar Ahmad Mother's Name : Zubaida Muzaffar Date of Birth : 02 December, 1958

Obtained LL.B (Hons), LL.M. from the University of Dhaka.

Enrolled as an Advocate of the Dhaka District Court in the year 1982.

Joined the Judicial Service as Munsif on 22 February, 1984 and promoted as District and Sessions Judge on 04 March, 2009.

Elevated as Additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.

He is an enlisted Lyric Poet of Bangladesh Betar.

He has published numerous writings as 'বরান্দের শুন্য ভান্ডে' 'Encounter with nothingness', 'ফারাক্কার ভাটি দেশে', 'কাঁটা মুভুর আর্তনাদ'-- কাব্যগ্রন্থাদি সহ বিভিন্ন কবিতা এবং " 'মুক্তাব্দ'-- একটি ঐতিহাসিক প্রস্তাবনা ও প্রাসঙ্গিক কথা " আর্টিক্যালসমহ।

Visited India and Saudi Arabia.

He went to Balat of India, crossing border with his villagers and then to Tura in Magalaya State of India, took guerrilla training and participated in the Liberation War of Bangladesh 1971 as Freedom Fighter and participated in direct fight at many places of the then Netrokona, Sunamgonj and Kishoregonj Sub-Division.

Mr. Justice Shahed Nuruddin

Father's name : Late Md. Abdul Jalil Mother's name : Late Nurun Nahar Begum

Date of Birth : 01 February, 1960

Obtained LL.B (Hons.), LL.M. from the University of Dhaka.

Joined the Judicial service as Munsif on 20 April, 1983 and Promoted as District

and Sessions Judge on 27 February, 2000

Elevated as additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.

Perticipated in an international Seminar on law and justice organised by United Nations Organization (UNO) at New York, USA in the year 1999.

Attended in a Judicial Conference on Judicial Education and Court Administration at Delhi Judicial Academy, Delhi India in the year 2013.

He likes Reading, gardening and music.





Mr. Justice Md. Zakir Hossain

Father's Name : Late Syed Ahamed Mother's Name : Late Maymena Khatun Date of birth : 01 January, 1963

Obtained LL.B. (Hons), LL.M. and PhD from University of Dhaka; LL.M. in International Maritime Law with Distinction from International Maritime Law Institute, Malta and Field Training held in London having obtained fellowship from International Maritime Organization (IMO), UK. Diploma on Equipment Procurement Management Course from International Training Centre of ILO, Turin, Industrial Advantagement Management Man Italy. Participated in Training Course on Money Laundaring from International Training Institute, ILEA, Bangkok, Thailand; Participated in Mediation Training Course conducted by Loyola Law School, California, USA. Participated in Training Course on Land Administration, Survey and Settlement, Election Laws and also participated in the Training Course at PATC and JATI. Stood 1st in 30th Judicial Administration Training Course at JATI and secured outstanding marks.

Enrolled as an Advocate of Dhaka District Bar on 26 October, 1987. Stood 4th in order of merit in 8th BCS (Judicial) Examination and joined in the Judicial Service as an Assistant Judge on 20 December, 1989 and promoted as District and Sessions Judge on 04 March, 2014. Served on deputation as Senior Assistant Secretary, Ministry of Law, Justice and Parliamentary Affairs, Deputy Director of Legal and Judicial Capacity Building Project, Director of Judicial Administration Training Institute, Additional Registrar, Registrar, Registrar General, Ex-officio Member of the Judicial Service Commission, Examiner of the Judicial Service Commission, Treasurer of the Supreme Court Judges' Welfare Foundation and Marshal of the Admiralty Court. Elevated as an Additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021. Honorary Faculty, Examiner and Member of Examination Committee of Faculty of Law, University of Dhaka; Member-Secretary, Board of Directors of Judicial Administration Training Institute (JATI); Editor, JATI Journal.

Visited and participated in different Seminars and Workshops in Malta, England, United States of America, Russian Federation, Japan, Switzerland, Italy, Greece, Singapore, Turkey, Hong Kong, United Arab Emirates, Saudi Arabia, Nepal, Thailand and India.

Has three major publications in his credit (1) Law of Writs: Constitutional Remedies, (2) Public Safety Law, and (3) Commentary on Society Registration Law.

Mr. Justice Md. Akhtaruzzaman

Father's Name : Late Rais Uddin Mother's Name : Late Marium Khatun Date of Birth :01 January, 1966

Obtained Ph.D. in Law, M.Phil. in Law and LL.M. from the University of Dhaka; LL.B. (Hons) from the University of Rajshahi; Diploma in Refugee Law (Italy).

Enrolled as an Advocate of the District Court on 27 May, 1991. Joined the Judicial Service as Assistant Judge on 01 April, 1993 and promoted as District and Sessions Judge on 14 June, 2015.

Elevated as additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.

Participated in International Conferences and Seminars: Graduate, Commonwealth Judicial Education Institute held in Canada; Higher Training on Juvenile Justice Administration held in Nepal; Training on Anti-Money Laundering and Terrorism in Financing held in USA; Training on Case Management and Court Administration held in Australia.

Visited USA, Canada, Australia, Italy, France, Austria, Vatican City, Monaco, UAE, Thailand, Nepal, India, Saudi Arabia and Singapore. Also visited the UN Head Quarters in 2014.

He has numerous publications on "বিকল্প বিরোধ নিষ্পত্তির ধারণা ও আইন এবং আইনগত সহায়তা প্রদান আইন"; "আইনের ব্যাখ্যা ও জেনারেল ক্লজেস্ অ্যাক্ট"; 'Freedom of Press in South Asia'; "চেক ডিস্অনার ও মামলা দায়ের সংক্রান্ত আইন"; 'Case Management and Court Administration in Bangladesh': "লিগ্যাল ড্রাফ্টিং, কনভেয়্যানিং এবং প্রফেশনাল এথিক্স"; "দুর্নীতি দমন আইন, বিধি ও কার্যপদ্ধতি" এবং "মাদকদ্রব্য নিয়ন্ত্রণ আইন, বিধি ও কার্যপদ্ধতি"





Mr. Justice Md. Mahmud Hassan Talukder

Father's name : Motiur Rahman Talukder

Mother's name : Monowara Begum Date of Birth : 07 January, 1966 : Jamalpur, Bangladesh Place of Birth

Obtained M.A., LL.B. from the University of Dhaka.

Enrolled as an Advocate of the District Court and the High Court Division of the Supreme Court of Bangladesh on 10 December, 1989 and 31 December, 1991 respectively.

Elevated as Additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.

Visited Germany, Italy, France, Seitzerland, Belgium, Holland, Luxemburg, England, New Zealand, America, Canada, Dominican Republic, Turkey, Abu Dhabi, Japan, Thailand and India.

Mr. Justice Kazi Ebadoth Hossain

Father's name : Kazi Mohammad Hossain

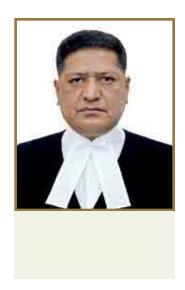
Mother's name : Late Golejan Begum Date of Birth : 01 October, 1969

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the Dhaka District Court and the High Court Division of the Supreme Court of Bangladesh on 19 April, 1993 and 27 April, 2003 respectively. He was former General Secretary of Bangladesh Law Association (2009-2010).

Performed as Deputy Attorney General for Bangladesh till elevation to the Bench.

Elevated as Additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.





Mr. Justice K M Zahid Sarwar

Father's Name : Advocate M G Sarwar Husain

Mother's Name : Bilkis Romman. Date of Birth : 01 January, 1971

Obtained LL.B (Hons) and LL.M from the University of Rajshahi.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 12 October, 1995, 30 October, 1997 and 29 March, 2018 respectively.

Performed as Deputy Attorney General for Bangladesh from 09 February, 2009 till elevation to the Bench.

Elevated as Additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.

Participated in the prosecution training workshop, organized by the Commonwealth Secretariat on Investigation and Prosecution of Hi-Tech Crime-Technological Challenges and Practical Solutions held in Male, Maldives in 2010 and in the FATF/APG/EAG workshop for Judges and Prosecutors held in Shenzhen, China in 2018.

Visited India, United Arab Emirates, Maldives, Saudi Arabia, Thailand and China.

Mr. Justice A.K.M Zahirul Hug

Father's name : Late Md. Fazlur Rahman Mother's name : Mrs. Samsun Naher Date of Birth : 15 February, 1971

Obtained LL.B. (Hons) and LL.M. from the University of Dhaka.

Enrolled as an Advocate of the District Court, the High Court Division and the Appellate Division of the Supreme Court of Bangladesh on 10 October, 1995, 10 July, 1999 and 29 March, 2018 respectively.

Elevated as Additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.

Visited Saudi Arabia, India, Malaysia, Indonesia, Singapore and Thailand.





Madam Justice Kazi Zinat Hoque

Father's name : Justice Kazi Ebadul Hoque (Ekushey Padak 2016) Mother's name: Professor Dr. Sharifa Khatun (Ekushey Padak 2017)

Date of Birth : 14 October, 1974

Obtained LL.B. (Hons) (First Class) and LL.M. (First Class) from the University of Dhaka and LL.M. from the University of Cambridge, England. She obtained Distinction in Post Graduate Diploma in Law from South Bank University, London and Very Competent in Bar Vocational Course from Inns of Court School of Law, London. She obtained B1 Certificate in German Language from Goethe Institute, Dhaka. She was called to the bar as Barrister-at-Law from the Hon'ble Society of Middle Temple, London.

Enrolled as an Advocate of the District Court, High Court Division and Appellate Division of the Supreme Court of Bangladesh on 06 August, 1997, 18 June, 2000 and 20 December, 2015 respectively.

Elevated as Additional Judge of the High Court Division on 21 October, 2019 and appointed Judge of the same Division on 19 October, 2021.

Participated in the course titled "Access to Justice: A Human Rights Based Approach" at National University of Ireland, Maynooth in June 2008.

Visited United Kingdom, Republic of Ireland, the United States of America, Singapore, India, Switzerland, Norway, France and the Maldives.

Justice Kazi Zinat Hoque along with Justice Kazi Ebadul Hoque authored the book "Important Decisions of the Supreme Court of Bangladesh", published by Hakkani Publishers in August 2019.



Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain with newly confirmed Judges of the High Court Division of the Supreme Court of Bangladesh (19 October, 2021)



Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain and Honourable Judges of the High Court Division of the Supreme Court of Bangladesh



Honourable Chief Justice of Bangladesh Mr. Justice Hasan Foez Siddique and Honourable Judges of the High Court Division of the Supreme Court of Bangladesh

JUDGES RETIRED IN 2021

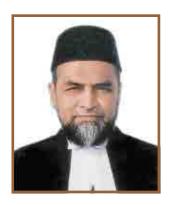
Appellate Division



Mr. Justice Syed Mahmud Hossain (Retired on 30 December, 2021)



Mr. Justice Mirza Hussain Haider (Retired on 28 February, 2021)



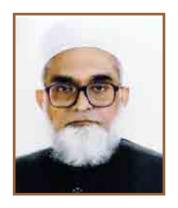
Mr. Justice Abu Bakar Siddiquee (Retired on 28 July, 2021)

High Court Division

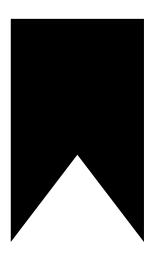


Mr. Justice A.K.M. Abdul Hakim (Retired on 18December, 2021)

WE MOURN



Mr. Justice Abdul Quddus (Died on 02 October, 2021)





Mr. Justice Md. Abdul Hye (Died on 21 February, 2021)



Mr. Justice Syed Abu Kowser Md. Dabirush-Shan (Died on 26 December, 2021)



Mr. Justice A K M Fazlur Rahman (Died on 05 August, 2021)



Mr. Justice Amir Hossain (Died on 24 August, 2021)

The Supreme Court of Bangladesh

The Supreme Court established under the Constitution of Bangladesh is the highest Court of the Republic. It has two Divisions, namely, the Appellate Division and the High Court Division. The High Court Division has original, appellate and other jurisdictions, powers and functions conferred by the Constitution or by any other law. On the other hand, Appellate Division hears and disposes of appeals from judgments, decrees, orders or sentences of the High Court Division. The Appellate Division has power to issue such directions, orders, decrees or writs as may be necessary for doing complete justice in any cause or matter pending before it, including orders for the purpose of securing the attendance of any person or the discovery or production of any document.

The Supreme Court is headed by the Honourable Chief Justice of Bangladesh.

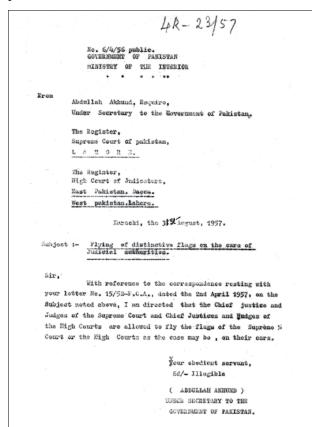
History of Higher Judiciary in the Territory of Bangladesh

The territorial area of Bangladesh originally being a part of the then Indian Sub-continent, the history of its legal system may be traced back to 1726, when King George-I issued a Charter changing the judicial administration of the Presidency towns of Calcutta, Bombay and Madras, through which the Civil and Criminal Courts, as established, started deriving their authority from the King. During the Mughal Empire, the East India Company by taking settlement from the Emperor created the three presidency towns namely Madras, Bombay and Calcutta and introduced the English legal system for administration of the presidency towns and thus, the English Judicial system got entry into the Sub-continent.



Honourable Chief Justice of Bangladesh along with the Editorial Committee of Annual Report, 2020 submitting the Annual Report, 2020 of the Supreme Court of Bangladesh to the Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid

The filing of appeals from the then India to the Privy-Council in England was introduced by the Charter of 1726 and thereafter to bring about change in the management of the then East India Company, the East India Company Regulating Act, 1773 was introduced to place the East India Company under the control of the British Government and provision was made for establishment of a Supreme Court of Judicature at Fort William, Calcutta, through Charter or Letters Patent. The Supreme Court of Judicature at Fort William in Bengal was established by Letters Patent issued on 26 March, 1774, which as a Court of Record had power and authority to dispose of all complaints against the Majesty's subjects in respect of any crime, suit or action within the territory of Bengal, Bihar and Orissa. By an Act passed in 1833 the Privy-Council was transformed into an Imperial Court of unimpeachable authority, which played a great role as a unifying force for establishment of rule of law in the Indian Sub-continent. The judicial system of the then India was re-organized by introducing the Indian High Court's Act 1861 by which High Courts were established, abolishing the Supreme Courts at Fort William Calcutta, Madras and Bombay, and the High Courts established were conferred with Civil, Criminal, Admiralty, Testamentary, Matrimonial Jurisdictions with Original and Appellate Jurisdiction. With the transfer of power from the British Parliament to the people on division of the then India, the High Court of Bengal (Order) 1947 was promulgated under the Indian Independence Act, 1947, and the High Court of Judicature for East Bengal at Dhaka was established as a separate High Court for the then East Pakistan and the said High Court was commonly known as the Dhaka High Court vested with all Appellate, Civil and original jurisdictions. With the enforcement of the Constitution of Islamic Republic of Pakistan in 1956, the Supreme Court of Pakistan was established as the apex Court of the country, consisting of East Pakistan and West Pakistan, in place of Federal Court, with the appellate jurisdiction to hear the decisions of the High Courts established in the provinces of Pakistan. The Dhaka High Court had the jurisdiction to issue writs in the nature of Habeas Corpus, Mandamus, Prohibition, Quo-warranto and Certiorari, with further authority to declare any law promulgated violating the provisions of the Constitution as void.



Letter dated 1 August, 1957 issued by the then Central Government in the Ministry of Interior vide memo no. 6/4/56 Public, regarding the use of flag by the Judges of the Supreme Court. (Courtesy by: Honourable Mr. Justice Quamrul Islam Siddique)

Use of Distinctive Flag by Judges

The Judges of the then High Court of Judicature East Pakistan in Dhaka had been using flag on their cars pursuant to a letter dated August 1, 1957 issued by the then Central Government in the Ministry of Interior vide memo no. 6/4/56 Public.

No sooner had we achieved independence, the judges of the Supreme Court of Bangladesh started using flag on their cars inscribing the official emblem of the Supreme Court with an additional word "Justice". "Scales", the official emblem of the Supreme Court, signifies "Rule of Law" which the judges are oath bound to establish. The flag used by the judges on their cars, with the efflux of time, has become a great heritage. The judges carry this heritage while in office. This heritage will continue from generation to generation.

Supreme Court under the Constitution of Bangladesh

Initially after liberation, the apex Court was named as High Court of Bangladesh set up under the President's Order No.5 of 1972 (High Court of Bangladesh Order, 1972) and after the framing of the Constitution and adoption thereof by the Constituent Assembly on 04 November, 1972 with effect from 16 December, 1972, the "Supreme Court of Bangladesh" has been established under Chapter-I Part-VI of the Constitution of the People's Republic of Bangladesh.

The Supreme Court of Bangladesh, with the judges and the Chief Justice of Bangladesh, is the repository of all judicial power and final interpreter of the Constitution of the People's Republic of Bangladesh as well as the defender of the Constitution and rule of law in the country. Part-VI of the Constitution relates to jurisdiction of the Courts. It contains 3 chapters of which Chapter-I provides for power and authority of the Supreme Court, Chapter-2 for Sub-ordinate Courts and Chapter-3 for Administrative Tribunal.

Appointment and Removal of Judges

Chapter-I contains articles 94 to 113. Article 94 relates to the setting up of the Supreme Court of Bangladesh comprising the Appellate Division and the High Court Division. The Supreme Court consists of the Chief Justice of Bangladesh and such number of other judges, as the President may deem it necessary to appoint in each of the Divisions. The Constitution provides for one Chief Justice for both the Divisions. The Chief Justice and the judges of the Appellate Division sit in the Appellate Division, whereas the judges of the High Court Division sit in the High Court Division. The Chief Justice is known as the Chief Justice of Bangladesh. Article 95 of the Constitution provides that the Chief Justice and other judges shall be appointed by the President and a person shall not be qualified for appointment as a judge unless he is a citizen of Bangladesh and has acquired the required qualifications as enumerated in Article 95. As per article 96, a judge shall not be removed from office except by an order of the President on the basis of the report of the Supreme Judicial Council. Article 97 provides for temporary appointment for performing the functions of the Chief Justice, as and when necessary, if his office becomes vacant on account of his absence, illness or any other cause, to the next most senior judge of the Appellate Division. Article 98 provides for appointment of Additional Judge(s) in the Supreme Court for any period not exceeding two years and a judge of the High Court Division may be required to sit in the Appellate Division for a temporary period as an ad-hoc judge. Normally, a judge is appointed on regular basis under article 95 of the Constitution. Article 100 of the Constitution provides that the permanent seat of the Supreme Court shall be in the Capital. However, judges of the High Court Division may be required to sit at such other place or places as the Chief Justice may, with the approval of the President, from time to time appoint.

Functions of the Supreme Court

Articles 101 and 102 provide for the jurisdiction and power of the High Court Division in exercising its judicial functions and Articles 103, 104 and 105 provide for the jurisdiction and power of the Appellate Division in exercising its judicial functions. The Appellate Division is also given the advisory jurisdiction to give opinion to any question of law relating to such national and public importance as may appear to the President, which may be referred to by him under Article 106. Article 107 provides for the rule making power of the Supreme Court and the authority of the Chief Justice in constituting Benches of any Division. Article 108 empowers the Supreme Court to order investigation and award punishment for any contempt. Article 111 declares the binding effect of law declared by the Appellate Division on all authority of the Republic and the Courts including the High Court Division and the binding effect of the law declared by the High Court Division upon all authority of the Republic and the Subordinate Courts. Article 112 requires all authority, executive and judicial, in the Republic to act in aid of the Supreme Court. Article 107 provides for the Supreme Court to make rules for regulating, practice and procedure of both the Divisions of the Supreme Court or any Sub-ordinate Court, subject to the approval of the President, and article 113 gives the authority to the Chief Justice or such other judge or officer, as he may direct, for appointment of staff of Supreme Court in accordance with the rules framed with previous approval of the President, and such appointment and service condition of the Supreme Court staff are guided by the rules framed by the Division concerned. The power to issue writs to redress the violation of fundamental rights detailed in Part-III of the Constitution and the authority to declare any law promulgated inconsistent with the rights guaranteed under Part-III of the Constitution, as void have been exclusively vested with the High Court Division under the provisions of Articles 44 and 102 of the Constitution. Article 109 has given the High Court Division the power and authority of superintendence and control over all Courts and Tribunals, subordinate to it. Article 110 authorizes the High Court Division to withdraw any case from any Court subordinate to it which involves a substantial question of law as to the interpretation of the Constitution, or a point of general public importance, the determination of which is necessary for disposal of the case and to determine the question of law and return the case to the Court from which it has been withdrawn and to transfer it to any other subordinate court. Article 114 provides for establishment of Courts sub-ordinate to the Supreme Court and normally the subordinate Courts under civil jurisdiction are set up under the provisions of the Civil Courts Act, 1887 and those of criminal jurisdiction are set up under the Code of Criminal Procedure, 1898. Persons employed in judicial service and Magistracy are independent in exercising their respective judicial functions.

The Appellate Division of the Supreme Court of Bangladesh has 7 (Seven) judges including the Chief Justice of Bangladesh and the High Court Division has 92 (Ninety Two) judges up to 31 December, 2021.

Jurisdiction of the Supreme Court of Bangladesh

The jurisdiction of the Supreme Court of Bangladesh has been provided for in the Constitution of the People's Republic of Bangladesh. Article 94(1) of the Constitution provides that there shall be Supreme Court for Bangladesh comprising the Appellate Division and the High Court Division. These two Divisions of the Supreme Court have separate jurisdictions. The sources of the jurisdiction, apart from the Constitution, are general laws (Acts of Parliament) of the country.

Jurisdiction of the Appellate Division

The Constitution has conferred on the Appellate Division the following jurisdictions:

- **Appellate Jurisdiction:** Article 103 of the Constitution provides that the Appellate Division shall a. have jurisdiction to hear and determine appeals from judgments, decrees, orders or sentences of the High Court Division. An appeal to the Appellate Division shall lie as of right where the High Court Division- (a) certifies that the case involves a substantial question of law as to the interpretation of the Constitution; or (b) has confirmed a sentence of death or sentenced a person to death or to imprisonment for life; or (c) has imposed punishment on a person for contempt of that division; and in other cases if the Appellate Division grants leave to appeal and also pursuant to Acts of Parliament.
- **Issue and Execution of Processes of Appellate Division:** Under article 104, the Appellate Division b. shall have power to issue such directions, orders, decrees or writs as may be necessary for doing complete justice in any cause or matter pending before it, including orders for the purpose of securing the attendance of any person or the discovery or production of any document.
- Power of Review: Article 105 provides that the Appellate Division shall have power, subject to the c. provisions of any Act of Parliament and of any rules made by the Division, to review any judgment pronounced or order made by it. Part IV, Order XXVI of the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 deals with the power and procedural matters of review of the Appellate Division.
- d. **Advisory Jurisdiction:** Article 106 of the Constitution provides that if at any time it appears to the President that question of law has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to the Appellate Division for consideration and the division may, after such hearing as it thinks fit, report its opinion thereon to the President.
- Rule Making Power of the Supreme Court: Subject to any law made by the Parliament, the Supreme e. Court may with the approval of the President, make rules for regulating the practice and procedure of each Division of the Supreme Court and of any Court subordinate to it.

Jurisdiction of the High Court Division

Article 101 of the Constitution provides that the High Court Division shall have such original, appellate and other jurisdictions, powers and functions as are or may be conferred on it by the Constitution or any other law.

Original Jurisdiction: Original jurisdiction of the High Court Division means that jurisdiction a. whereby it can hear a case or suit as Court of first instance. The Constitution has conferred on the High Court Division special Original Jurisdiction under Article 102 of the Constitution, under which the High Court Division can enforce fundamental rights guaranteed in Part III of the Constitution and can also exercise its power of judicial review. There are some other ordinary laws (Acts of Parliament) namely, the Companies Act, 1994; the Admiralty Court Act, 2000; the Bank Companies Act, 1991; Wills and Probate under the Succession Act, 1925; the Divorce Act, 1869; the Representation of the People Order, 1972; Bangladesh Merchant Shipping Ordinance, 1983; the Contempt of Courts Act, 1926 etc. which fall under the ordinary/original jurisdiction of the High Court Division. Further jurisdiction of the High Court Division is guided by the Code of Civil Procedure, 1908 and The Supreme Court (High Court Division) Rules, 1973.

- b. **Appellate Jurisdiction:** Any law may confer on the High Court Division appellate jurisdiction on any matter. The Code of Criminal Procedure, 1898; the Code of Civil Procedure, 1908; Section 42 of Value Added Tax Act, 1991; Section 196D of the Customs Act, 1969 etc and the High Court Division Rules, 1973 have conferred on the High Court Division appellate jurisdiction.
- **Revisional Jurisdiction:** (a) Section 115 of the Code of Civil Procedure, 1908 has conferred c. on the High Court Division the revisional jurisdiction. The High Court Division may examine the decisions of the courts subordinate to it.
 - (b) Section 439 of the Code of Criminal Procedure, 1898 has conferred on the High Court Division the revisional jurisdiction as to criminal matters of the courts subordinate to it. Furthermore, the High Court Division has inherent power under section 561A of the Code of Criminal Procedure, to make such orders as may be necessary to give effect to any order under that Code or to prevent abuse of the process of any court or otherwise to secure the ends of justice.
- d. Review Jurisdiction: Section 114 of the Code of Civil Procedure, 1908 has conferred on the High Court Division the review jurisdiction. The High Court Division Rules, 1973 Part II, Chapter X and Order XLVII of the Code of Civil Procedure, 1908 deal with the procedural matters of review.
- Jurisdiction as to Superintendence and Control over Courts Subordinate to it: Article e. 109 of the Constitution provides that the High Court Division shall have superintendence and control over all Courts and Tribunals subordinate to it. As part of its supervisory power over the subordinate judiciary during the long vacation of the Supreme Court (which started on 16 August, 2018 and ended on 30 September, 2018) six Honourable Judges, appointed by the Honourable Chief Justice, inspected all Courts and Tribunals in 13 Districts.
- f. Transfer of Cases from Subordinate Courts to the High Court Division: Under Article 110 of the Constitution, if the High Court Division is satisfied that a case pending in a Court subordinate to it involves a substantial question of law as to the interpretation of the Constitution, or on a point of general public importance, the determination of which is necessary for the disposal of the case, it shall withdraw the case from that Court and may- (a) either dispose of the case itself; or (b) determine the question of law and return the case to the Court from which it has been so withdrawn (or transfer it to another subordinate Court) together with a copy of the judgment of the Division on such question, and the court to which the case is so returned or transferred shall, on receipt thereof, proceed to dispose of the case in conformity with such judgment.

Apart from the above, section 113 of the Code of Civil Procedure, 1908 gives jurisdiction to the High Court Division to give opinion and order on a case referred to it by any subordinate Court by way of reference. Under section 160 of the Income Tax Ordinance, 1984 the High Court Division is empowered to hear income tax references. Section 24 of the Code of Civil Procedure provides for transfer of cases of the civil Courts and section 526 of the Code of Criminal Procedure provides for transfer of cases under criminal jurisdiction of the subordinate Courts.

Lawazima Court:

The Lawazima Court is presided over by the Registrar General. This Court deals with the procedural matters for making the cases ready for hearing under Chapter II of the Supreme Court (High Court Division) Rules, 1973.

Strategic Plan of the Supreme Court of Bangladesh

Supreme Court of Bangladesh has adopted a five-year strategic plan in 2017 to be implemented by 2022. Followings are some of the core features of the Strategic Plan of the Supreme Court of Bangladesh:

1. Vision Statement

As a constitutional organ of the state, the Supreme Court is primarily accountable to the people of Bangladesh. Its Vision is:

The people continue to place trust, confidence, and respect in the Supreme Court.

2. Mission Statement

Guided by its constitutional mandates and the stated Vision, the Supreme Court of Bangladesh considers its Mission as

Preserving, protecting and defending the Constitution and the laws of Bangladesh, securing rule of law and serving the people through timely dispute resolution.

3. Values

While pursuing the stated Vision and Mission, the Supreme Court of Bangladesh plans to institutionalize a set of Values, which will shape its external and internal behaviour.

- a) In relation to other organs of the State
 - Independence: With the honourable Judges, the Supreme Court will remain free from any interference from anywhere while exercising its constitutional duties.
- b) In relation to conflicting parties and citizens
 - Impartiality: The honourable Judges and the staff will not favour any party in conflict and respect them equally in the justice delivery process.
 - Accessibility: The parties will have equal access within the decorum of the law and the court system.
 - Fairness: The Judges and the staff members will explore a balanced view in the exercise of justice.
 - Responsiveness: The honourable Judges will be articulate and dutiful enough to address revealed societal pains as far as the application of laws and justice are concerned.
 - Transparency: Judicial process must be transparent, consistent, and predictable and the proceedings occur in open courts, where all concerned shall have unhindered access.
- In relation to the SC itself
 - Technology-friendly: The SC will embrace modern technologies in its operations to achieve the highest level of efficiency of the honourable Judges, judicial officers, and staff members.
 - Propriety: Irrespective of position and strata, everyone will strictly follow the Rules and Procedures.
 - Innovation: The Supreme Court will encourage a working environment that fosters creativity and generation of new ideas to improve the court environment and the quality of justice.

Goals, Strategies and Activities

The Goals of the Supreme Court of Bangladesh are embedded in five areas as listed below:

- Judicial Administration of the Supreme Court
- Justice Delivery at the Supreme Court
- Monitoring of Subordinate Courts
- Justice sector as a whole
- e-Judiciary

Goal 1: The Office of the Registrar General (ORG) to meet the emerging needs, is restructured and rejuvenated.

Strategy 1: Classify the existing Sections into four clusters of services in the ORG as follows:

- Court/Case related: Bench Office, Judicial Records, Paper Book, Certified Copy, Filing, Stamp a) Reporter, and Dispatch related to the court
- b) General Administration and Logistics: Human Resource Management (HRM) for Judicial Officers, HRM for SC & Subordinate Staff, Dispatch, Keeping, Security & Store
- Technical: Budgeting, Accounting, Procurement, Store, Transport and Medical Centre c)
- d) Overarching/Crosscutting: Planning, Monitoring, Research and Reporting, IT and Training

Strategy 2: Rejuvenate the sections with selected work/activities

Strategy 3: Establishment of new Sections, with specific mandate, as follows:

- Planning, Monitoring, Research and Reporting Section
- b) Human Resource Development (Training) Section
- c) Monitoring Support Section (to follow up the activities of the Subordinate Courts)
- d) Public Relations Section
- International Judicial Collaboration

Goal 2: All Sections/Units/Cells of the Office of the Registrar General are effectively practicing relevant and more advanced modern office management system and procedures.

Strategy 1: Introduce more technology based office management systems and procedures for the effective coordination and quality management among and within the Sections.

Activities

- Forms and Stationaries: Inventory Management System as practiced in business houses
- Purchasing Section: Template based requisition issuing, processing and approval system
- Transport Section: Basic Repair and Maintenance Policy versus outsourcing policy in major cases
- Court Keeping Section: Requisition and follow up/tracking system for all services, and interbuilding accessibility, effective space management policy (interior design analysis)
- Human Resource Management 1: Human Resource Management Policy (Filing system, Posting, Transfer, Appraisal, Promotion, Leave, Sickness, Dismissal, Pension Policy) for all Judicial Officers. The policy will build in the aspect of compliance with the Values in the ACR system.
- Human Resource Management 2: Human Resource Management Policy (Filing system, Recruitment based on required skill sets, Posting, Transfer, Appraisal, Promotion, Leave, Sickness, Dismissal, Pension Policy, gender policy) for the staff members
- Paper Book: Introduction of OCR (optical character recognition) software
- Records Section: Space-effective filing and safe storage system, and effective pest management, formatting policy (use of font, both sided)
- Budgeting System: Real-time Budget Control System
- Accounting Section: Modern Accounting System (use of basic accounting software for bookkeeping and reporting)
- Library: Auto-generated borrowing status and issuance of clearance and access to e-library

- The Secretariat of the Office of the Registrar General (ORG): Modern Coordination System (Tracking system for internal and external coordination, auto-generated reporting system)
- Subordinate Courts Section: Online reporting system
- Bench Office: Effective communication with the Subordinate Courts and Records Section
- HRD 1: Needs assessment, workshop design, delivery of training/outsourcing of training/selflearning for the Honourable Judges and judicial officers, training impact evaluation).
- HRD 2: Needs assessment, training design, and delivery/outsourcing/self learning for staff members, training impact evaluation.
- Cause List: Daily publication of cause lists and results
- Nojir (Precedent): Modern store keeping (space management, storage and filing)
- Stamp Reporter: Modern payment system
- ICT: Repair, Maintenance, and Replacement Policy; Audience-sensitive staff development policy; LAN management policy
- Research: Connectivity with relevant Sections for auto-generated reporting on selected indicators, interpretation practices and recommendations for changes

Strategy 2: Equip the Sections with necessary skills, materials, and equipment.

Goal 3: The Supreme Court and the Subordinate Courts gradually possess the number of Judges at internationally recognized 'Citizens to Judges' ratio.

Strategy 1: Approach the Government to recruit more Judges of the Supreme Court, particularly for the High Court Division, based on performance, practical experience, and skills the Judges have demonstrated in the Subordinate Courts.

Strategy 2: Approach the Government to recruit new judicial officers based on the mix criteria of demands (quantitative and subject-specific) and disposal rate (cases per Judge).

Strategy 3: Introduce internships with the HC Benches for the recent law graduates and newly appointed judges with good academic and research records.

Strategy 4: Introduce portfolios of areas for the Benches to specialize in certain areas of law and capitalize on the background and experience of the honourable Judges.

Strategy 5: Expand the quantitative capacity of the justice delivery at the Supreme Court through an increase in vacation benches and shortening of the vacation.

Goal 4: The courts progressively shifts to an effective Case Flow Management practice

Strategy 1: Allocate staff members (BO, ABO, PO) with required skill sets

Strategy 2: Introduce DCM approach for new cases

Activities

- Undertake classification of the old cases for Differentiated Case Management (DCM), which may include a Last-In-First-Out approach, and suo motto initiatives by the honourable Judges in lieu of the First-In-First-Out principle as an instrument for case flow management for old cases (classification of cases).
- Introduce a key logistics package for the offices of Judges (materials, equipment, IT & internet package) for internal and external communication (Subordinate Courts, the Police, respective lawyers) aiming at a faster serving of notices/summons and tracking of the progress.

Goal 5: The Judges of Supreme Court gain access to reference materials, knowledge banks and capacity enhancing initiatives.

Strategy 1: Finalize the automation of the existing borrowing services.

Strategy 2: Establish e-library for common access (both demand and supply-driven) to legal literature from internal and external sources.

Strategy 3: Periodically arrange interactive workshops with experts on selected and emerging areas of laws and justice sector management (at home or abroad)

Goal 6: All Subordinate Courts function according to the standards set by the Supreme Court.

Strategy 1: Establish a dedicated office under the District and Sessions Judge to function as a bridge to the Supreme Court for effective communication (notices/summons, records) between Courts of the Supreme Court and those of the Subordinate Courts.

Activities

Appoint a JDJ/SAJ for the Liaison Office (to be established) JDJ/SAJ as Designated Officer and provide with adequate staff support (at least 4 staff) and other logistical supports, with provisions on how to forward statements to the Supreme Court and monitor communications, and on backup support in case of a temporary vacancy.

Strategy 2: Introduce an effective case-flow management policy for criminal and civil cases

Activity 1: Develop a case flow management policy. A recent workshop has proposed a classification of cases for better management. Additional consultations and workshops may pave the way for further detailing of the process from filing to disposition.

Activity 2: Provide capacity building to the Judges to implement the policy through training at JATI and national level workshops.

Strategy 3: Introduce a uniform, IT-driven and on/off-site monitoring system for the Subordinate Courts using electronic communication between the subordinate courts and the SC. The District and Sessions Judge/CJM/ CMM will monitor the progress and collect information on the challenges faced by his or her associate officers on a monthly basis. The proposed office mentioned earlier will perform the functions mentioned in this strategy.

Strategy 4: Review the experience of JSF/JUST project and seek introduction of the core recommendations for

The following Activities may be implemented under this strategy:

Activities

- 1. Establish an IT office in each District Court
- Organize a national level consultation to discuss the progress of implementations of the recommendations, and develop a time-bound agenda for the implementation of E-communication between justice sector agencies, such as the courts, police, prison etc.
- Organize IT training for the judges and staff members.

Strategy 5: Advocate with the Government to further develop the subordinate courts with an adequate number of judges, staff, and physical facilities and to support work processes with suitable amendments in laws, rules, and orders.

Activities

Seek an increase of the number of courts in each district with judges, staff members, courtrooms, and logistical supports depending on the history of the situation of cases the District Courts have to deal with and considering the standard judges to population ratio the justice sector has to achieve in the long-run. A flexible approach is suggested as not all districts have the same case burden, and a fair distribution of the workload is advisable.

- Seek amendment of laws in cooperation with the Law Commission and the Ministry of Law, Justice and Parliamentary Affairs to avoid that the same victim files a case with multiple courts – e.g. Family court, in the magistrate court (dowry case) and in the special tribunal (Nari O Shishu Nirjatan Daman Tribunal). Another example is that banks may file cases in the Money Loan court and simultaneously they can file cases under the NI Act for the same money. Sometimes they also file cases under sections 406 and 420 of the Penal Code.
- Introduce a differentiated distribution of time a District Judge should commit to administrative and judicial function as opposed to other judges, as the DJ has more administrative responsibilities than others.

Goal 7: All other justice sector institutions work together with the Supreme Court for the implementation of the strategies as well as for the overall development of the justice sector.

Strategy1: Organize workshops/seminars/internships/trainings ensuring participation of key players from other justice sector institutions and other relevant institutions.

Strategy 2: Seek effective representation of the Supreme court in any initiative (projects, programmes) relating to the overall coordination and management within the Justice Sector.

Strategy 3: Establish effective communication with other justice sector institutions (e.g. BJSC, Bangladesh Bar Council, Supreme Court Bar Association, JATI, Law Commission, NLASO, Ministry of Law Justice and Parliamentary Affairs, Office of Attorney General) for sharing of information of common interest and online access to resources (e.g. Library facilities, archives).

Strategy 4: Seek pro-active engagement of the Bar Council in supporting efforts related to effective case management (increasing use of ADR, positive response to the activism of the Judges).

Strategy 5: Establish effective communication with selected institutions (NHRC, Parliament Secretariat, Ministry of Finance, Office of Accountant's General etc.) for sharing information and the development of the justice sector.

Goal 8: The Office of the Registrar General progressively uses IT-systems in all of the operations of the Supreme Court and seeks the same from the Subordinate Courts, other judicial and affiliated institutions.

Strategy 1 (short-term):

The short-term strategies are based on the assumption that a comprehensive e-judiciary concept and its endorsement would evolve over time and certain preliminary steps can be initiated.

- Develop, test and introduce sub-system-based IT-solutions for operational efficiency, transparency and Accountability of the Sections by replacing manual workflow system into automation, e.g. ERP (Enterprise Resource Planning) solution for the management of Human Resources, Accounting, Store Keeping, Procurement, all types of inventory, disbursement and noting of file through e-filing).
- Undertake infrastructure development, including the capacity enhancement for IT Section of Supreme Court and Training of Administrators and Supervisors and other office assistants.

Strategy 2 (long-term):

- Develop, test, and introduce unified IT-driven systems for connectivity among related Sections, with the Subordinate Courts, other judicial and affiliated institutions. Capitalizing the benefits of a) and in line with e-Judiciary initiatives. (e.g. Integration with Civil Registration and Vital Statistics (CRVS), Electronic Case Filing, Tracking and Monitoring through the Dashboard from a top management position, E-Court Room, Introducing various e-Services for Judges, Lawyers, witnesses and Litigants and introducing ERP solution for the whole judiciary).
- Undertake infrastructure development, including building nationwide connectivity with the Supreme Court, capacity enhancement for IT Section of Supreme Court by categorizing the responsibilities of IT personnel and Training of Administrators and Supervisors and other office assistants.
- Undertake large-scale procurement of hardware and accessories depending on periodic evaluation.

Functions of the Full Court and the Committees of the Supreme Court of Bangladesh

Full Court Meeting:

Six Full Court Meetings of the Supreme Court for the year 2021 were held on 25 May, 2021, 21 June, 2021, 23 July, 2021, 05 August, 2021, 28 August, 2021 and on 17 November, 2021 wherein decisions were taken in various issues including consideration of recommendations of the General Administration Committee (G.A. Committee) in respect of promotion, suspension and imposition of punishment in departmental proceedings to the Judges of the subordinate judiciary. Honourable Chief Justice of Bangladesh presides over the Full Court Meetings.

Different Committees of the Supreme Court: Different Committees of the Supreme Court comprised of Honourable Judges of both Divisions and of the Officers of the Supreme Court have been formed, reconstituted and convened to accomplish different functions necessary for smooth running of the Courts and administration in the year 2021. Some of the Committees and their composition along with the task assigned to them have been discussed below:

(i) Annual Report, 2021 Editorial Committee: The Committee prepared the Annual Report 2021 in 2022 which is published by the Supreme Court. The Committee is as follows:

(1)	Mr. Justice Md. Nuruzzaman	- Chairma
(2)	Mr. Justice Obaidul Hassan	- Member
(3)	Mr. Justice Borhanuddin	- Member
(4)	Mr. Justice M. Enayetur Rahim	- Member
(5)	Mr. Justice Syed Refaat Ahmed	- Member
(6)	Mr. Justice Md. Ashfaqul Islam	- Member
(7)	Madam Justice Naima Haider	- Member
(8)	Mr. Justice Shahidul Karim	- Member

- **(ii) Backlog of Pending Cases Monitoring Committee (High Court Division):** The Committee monitors the backlog of cases in the High Court Division and recommends measures to overcome it. The Committee is as follows:
 - (1) Mr. Justice Mirza Hussain Haider (till 28 February, 2021)
 - (2) Mr. Justice Syed Refaat Ahmed
 - (3) Mr. Justice Md. Miftah Uddin Choudhury
 - (4) Mr. Justice A. K. M. Abdul Hakim (till 18 December, 2021)
- **(iii) Backlog of Pending Cases Monitoring Committee (Subordinate Courts and Tribunals):** The Committee monitors the backlog of cases in the subordinate courts and tribunals and recommends measures to overcome it. The Committee is as follows:
 - (1) Madam Justice Salma Masud Chowdhury Chairman
 - (2) Mr. Justice M. Enayetur Rahim Member
- **(iv)** Committee for Taking Measures in Relation to Ensuring Security of the Supreme Court of Bangladesh: The Committee reviews security measures taken in the Supreme Court and recommends new measures for the same. The Committee is as follows:
 - (1) Mr. Justice Mirza Hussain Haider (till 28 February, 2021)
 - (2) Mr. Justice Obaidul Hassan
 - (3) Mr. Justice M. Enayetur Rahim
 - (4) Mr. Justice Gobinda Chandra Tagore

- (v) Committee for Taking Measures in Relation to Ensuring Best Usage of Collected Resources in Admiralty Cases: The Committee gives direction to use the collected resources in admiralty cases in an appropriate way. The Committee is as follows:
 - (1)Mr. Justice Mirza Hussain Haider (till 28 February, 2021)
 - (2)Mr. Justice Syed Refaat Ahmed
 - (3)Mr. Justice Md. Abu Zafor Siddique
 - (4)Mr. Justice Sheikh Hassan Arif
- General Administration Committee (G.A. Committee): The G.A. Committee consists of the Chief (vi) Justice and not more than three Judges as the Chief Justice may appoint from time to time. The Committee for 2021 is as follows:
 - 1. Mr. Justice Syed Mahmud Hossain (till 30 December, 2021) - Chairman

Honourable Chief Justice of Bangladesh

Mr. Justice Hasan Foez Siddique (from 31 December, 2021) - Chairman

Honourable Chief Justice of Bangladesh

(2)Mr. Justice Mamnoon Rahman - Member

(3)Mr. Justice Md. Nazrul Islam Talukder

- Member
- (4)Mr. Justice Amir Hossain (till 24 August, 2021)
- Member

The Committee looks after the administration of Subordinate Judiciary as provided in the Supreme Court (High Court Division) Rules. As per Chapter IA, rule 2 of the Supreme Court (High Court Division) Rules, 1973, general powers of G.A. Committee are as follows:

- The G.A. Committee shall be in charge of the superintendence and control over the affairs of all Courts and Tribunals subordinate to the High Court Division, so far as such superintendence and control are exercised otherwise than judicially.
- (2) The G.A. Committee shall have power, without reference to the Full Court
 - To dispose of all correspondence relating to its business, urgent in its nature and not of general (a) importance;
 - (b) To make recommendations for posting, disciplinary action including imposition of penalty upon, grant of leave to, and suspension and promotion of judicial officers; but recommendations of the G.A. Committee with regard to promotion of and imposition of penalty on, a judicial officer shall be placed before the Full Court for approval;
 - To formulate general guidelines for the purpose of exercising its power under clause (b)
- The Chief Justice may at any time direct that the powers conferred on the G.A. Committee under sub-rule (2) above shall be exercised by one or more Judge(s) of that Committee and such Judge(s) may apportion the duties of the Committee among them, subject to the approval of the Chief Justice.
- Judges Committee for the Birth Centenary Celebration of the Father of the Nation Bangabandhu (vii) **Sheikh Mujibur Rahman:** The Committee is as follows:
 - 1. Mr. Justice Syed Mahmud Hossain (till 30 December, 2021) - Chairman
 - Honourable Chief Justice of Bangladesh
 - Mr. Justice Hasan Foez Siddique (from 31 December, 2021) Chairman
 - Honourable Chief Justice of Bangladesh
 - 2. Mr. Justice Md. Nuruzzaman

- Member

3. Mr. Justice Obaidul Hassan - Member 4. Mr. Justice M. Enayetur Rahim - Member 5. Madam Justice Krishna Debnath - Member 6. Mr. Justice Jahangir Hossain - Member 7. Mr. Justice J.B.M Hassan - Member 8. Mr. Justice Md. Khasruzzaman - Member 9. Mr. Justice Md. Shahinur Islam - Member

(viii) Judges Sub-Committee for the Souvenir and Memoriam Publications for the Birth Centenary Celebration of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman: The Committee is as follows:

1. - Convener Mr. Justice Md. Nuruzzaman 2. Mr. Justice Obaidul Hassan - Member 3. Mr. Justice M. Enayetur Rahim - Member 4. Madam Justice Krishna Debnath - Member 5. Mr. Justice Md. Shahinur Islam - Member

(ix) Judges' Corner Committee: The Committee oversees management of the Judges's Corner. The Committee is as follows:

(1)Mr. Justice Syed Mahmud Hossain (till 30 December, 2021) - Chairman Honourable Chief Justice of Bangladesh Mr. Justice Hasan Foez Siddique (from 31 December, 2021) - Chairman Honourable Chief Justice of Bangladesh

(2)Mr. Justice Mirza Hussain Haider (till 28 February, 2021) - Executive Chairman Mr. Justice Obaidul Hassan (from 1 March, 2021) - Executive Chairman (3)Madam Justice Salma Masud Chowdhury - Vice Chairman

(4) - Member Mr. Justice Md. Rezaul Haque

(5)Madam Justice Farah Mahbub - Vice Chairman

(6)Mr. Justice A.K.M. Abdul Hakim (till 18 December, 2021) - Secretary

(7)Mr. Justice Obaidul Hassan (till 28 February, 2021) - Joint Secretary

(8)- Member Mr. Justice M. Enayetur Rahim (9)Mr. Justice Jahangir Hossain - Member Mr. Justice Sheikh Hassan Arif - Member (10)(11)Mr. Justice Md. Ruhul Quddus - Member (12)Mr. Justice Md. Akram Hossain Chowdhury - Member (13)Mr. Justice Md. Jahangir Hossain - Member

- Member

(15) Mr. Justice Md. Iqbal Kabir - Member

Mr. Justice Bhishmadev Chakrabortty

(14)

- (x) Judges' Library Committee (Appellate Division): The Committee looks after the procurement of books for Appellate Division Library. The Committee is as follows:
 - Mr. Justice Muhammad Imman Ali (1)
 - (2)Mr. Justice Hasan Foez Siddique (till 30 December, 2021)
- (xi) Judges' Library Committee (High Court Division): The Committee takes measures regarding improvement of the Libraries and procurement of books. The Committee is as follows:
 - Mr. Justice Muhammad Abdul Hafiz
 - (2)Mr. Justice Md. Mozibur Rahman Miah
 - (3)Mr. Justice Muhammad Khurshid Alam Sarkar
- Judges' Privileges Committee: The Committee is entrusted with the duty to submit reports time to (xii) time to the Honourable Chief Justice of Bangladesh identifying admissible privileges to the Judges of the Supreme Court. The Committee is as follows:
 - (1)Mr. Justice Zubayer Rahman Chowdhury - Chairman (2)Mr. Justice Md. Shawkat Hossain (till 10 January, 2020) - Member (3)Mr. Justice Md. Ruhul Quddus - Member (4) Mr. Justice Shahidul Karim - Member
- Judges' Welfare Foundation Executive Committee: The Supreme Court Judges' Welfare Foundation was registred in 2016 under the Societies Registration Act, 1860. The Judges' Welfare Foundation Committee oversees the welfare, facilities and benefit of the Judges of the Supreme Court. The Committee supervises the activities of the Judges Corner Committee . The Committee is as follows:
 - (1)Mr. Justice Syed Mahmud Hossain (till 30 December, 2021) - Chairman Honourable Chief Justice of Bangladesh Mr. Justice Hasan Foez Siddique (from 31 December, 2021) - Chairman Honourable Chief Justice of Bangladesh
 - Mr. Justice Muhammad Imman Ali - Vice Chairman (2)
 - (3)Mr. Justice Hasan Foez Siddique (till 30 December, 2021) - Member
 - (4) Mr. Justice Mirza Hussain Haider (till 28 February, 2021) - Member
 - Mr. Justice Abu Bakar Siddiquee (till 28 July, 2021) - Member (5)
 - (6) Madam Justice Salma Masud Chowdhury - Member
 - (7)Mr. Justice Md. Ashfaqul Islam - Member
 - Mr. Justice A.K.M. Abdul Hakim (till 18 December, 2021) (8)- Secretary
 - (9)Mr. Justice Md. Moinul Islam Chowdhury - Member
 - (10)Mr. Justice M. Enavetur Rahim - Member
 - (11)Madam Justice Krishna Debnath - Member

 - (12)Mr. Justice Jahangir Hossain - Member
 - (14)Mr. Justice Shah Abu Naeem Mominur Rahman (Rtd.) - Member

Mr. Justice Sheikh Hassan Arif

(13)

(15) Mr. Justice Md. Awlad Ali (Rtd.) - Member

- Member

- (xiv) Museum Committee: This Committee recommends measures for increasing the collection of the museum of the Supreme Court of Bangladesh. The Committee is as follows:
 - Mr. Justice Syed Refaat Ahmed (1)
 - (2)Madam Justice Naima Haider
 - (3)Mr. Justice Ashish Ranjan Das
- **Supreme Court Online Bulletin (SCOB) Editor:** The committee is responsible for publishing online (xv) law reports of the Supreme Court of Bangladesh comprising of judgments from both Divisions. The Committee is as follows:
 - Mr. Justice Sheikh Hassan Arif - Editor
- (xvi) Special Committee for Judicial Reforms: The Committee looks after the proposed judicial reforms in the Judiciary, development of information technology (IT) and other related matters. The Committee is as follows:
 - (1)Mr. Justice Muhammad Imman Ali - Chairman - Member (2)Mr. Justice Syed Refaat Ahmed (3)Mr. Justice Md. Rezaul Hasan - Member Mr. Justice Md. Abu Zafor Siddique - Member (4)
- (xvii) Special Committee for Giving Opinion as to Conducting Preliminary Inquiry on the Complaint **Brought Against the Judges of the Subordinate Courts:** The Committee is as follows:
 - Mr. Justice Syed Refaat Ahmed (1)
 - (2)Mr. Justice M. Enayetur Rahim
- (xviii) Special Committee for Child Rights: The Committee looks after the implementation of the Children Act. 2013. The Committee is as follows:
 - (1)Mr. Justice Muhammad Imman Ali - Chairman (2)Madam Justice Naima Haider - Member (3)Mr. Justice Sheikh Hassan Arif - Member Mr. Justice Md. Nazrul Islam Talukder - Member (4)Mr. Justice Khizir Ahmed Choudhury - Member (5)
- (xix) Supreme Court Day Observance Committee: This Committee takes measures to observe Supreme Court Day in each year. The Committee (till 12 October, 2021) is as follows:
 - Mr. Justice Mirza Hussain Haider (till 28 February, 2021) (1)- Chairman - Member (2)Mr. Justice Syed Refaat Ahmed (3)Mr. Justice M. Enayetur Rahim - Member (4) Mr. Justice Sheikh Hassan Arif - Member
 - Mr. Justice Muhammad Khurshid Alam Sarkar (5)- Member

Supreme Court Day Observance Committee (from 13 October, 2021) is as follows:

(1)	Mr. Justice Obaidul Hassan	- Chairman
(2)	Mr. Justice M. Enayetur Rahim	- Member
(3)	Mr. Justice Sheikh Hassan Arif	- Member
(4)	Mr. Justice K. M. Kamrul Kader	- Member
(5)	Mr. Justice Muhammad Khurshid Alam Sarkar	- Member
(6)	Mr. Justice Khizir Ahmed Choudhury	- Member

(xx) Supreme Court of Bangladesh (High Court Division) Rules Committee: The Committee is as follows:

(1)	Madam Justice Farah Mahbub	- Chairmar
(2)	Mr. Justice J.B.M Hassan	- Member
(3)	Mr. Justice Md. Mozibur Rahman Miah	- Member
(4)	Mr. Justice Shahidul Karim	- Member
(5)	Mr. Justice S M Kuddus Zaman	- Member

(xxi) Supreme Court Mazar and Mosque Administration Committee: The committee is responsible for taking necessary actions for the smooth functioning of administration of the High Court Mazar, Mosque and Madrasha. Honourable Chief Justice of Bangladesh is the Chief Adviser of the Supreme Court Mazar and Mosque Committee. The Committee is as follows:

	Mr. Justice Syed Mahmud Hossain (till 30.12.2021)	- Chief Adviser
	Honourable Chief Justice of Bangladesh	
	Mr. Justice Hasan Foez Siddique (from 31.12.2021)	- Chief Adviser
	Honourable Chief Justice of Bangladesh	
(1)	Mr. Justice Md. Nuruzzaman	- Chairman
(2)	Mr. Justice Md. Abu Zafor Siddique	- Member
(3)	Mr. Justice Md. Habibul Gani	- Member
(4)	Mr. Justice Md. Khasruzzaman	- Member
(5)	Mr. Justice K. M. Kamrul Kader	- Member
(6)	Mr. Justice Amir Hossain (till 24.08.2021)	- Member
(7)	Mr. A. M. Amin Uddin (Attorney-General for Bangladesh)	- Member

(xxii) Supreme Court Jame Mosque Committee: Supreme Court Jame Mosque Committee looks after the Supreme Court Jame Mosque situated in the Supreme Court premises. The Committee takes necessary measures for the maintenance of the mosque and provides necessary supports for facilitating five time prayers, Jummah prayer and observe other religious events. The Committee is as follows:

- Chairman (1)Mr. Justice M. Enayetur Rahim (2)Mr. Justice Jahangir Hossain - Member Mr. Justice Sheikh Md. Zakir Hossain - Member (3)Mr. Justice Md. Ashraful Kamal - Member (4)- Member (5)Mr. Justice Mohammad Ullah (6)Mr. Justice Md. Mostafizur Rahman - Member

(xxiii) Vehicles Purchase Consultative Committee: The Committee supervises the purchase of all vehicles for the Supreme Court of Bangladesh. The Committee is as follows:

(1)	Mr. Justice Obaidul Hassan	- Chairman
(2)	Mr. Justice Sheikh Md. Zakir Hossain	- Member
(3)	Mr. Justice Mohammad Ullah	- Member
(4)	Mr. Justice Md. Jahangir Hossain	- Member
(5)	Mr. Justice Md. Khairul Alam	- Member

Other Committees constituted by the Honourable Chief Justice of Bangladesh but could not function due to retirement of some of their members:

- (i) Civil Rules and Orders (Volume I and II) Necessary Amendment Committee
- (ii) Committee for Establishing A CNG Re-fueling Station, A Vehicle Pool and A Modern Printing Press in the Supreme Court Premises
- (iii) Criminal Rules and Orders Amendment Committee
- (iv) Performance of the Judges of the Subordinate Judiciary Evaluation Committee

Statistics on Filing of New Cases, Disposals and Pending Cases in the **Appellate Division of the Supreme Court of Bangladesh**

1. Statement of Filing of New Cases, Disposals and Pending Cases From 01 January, 2021 to 31 December, 2021

1.1. Petitions

Cases	Carried Over	New filing	Total	Disposal	Pending on 31 Decenber, 2021
Civil	6553	2962	9515	2354	7161
Criminal	2409	1646	4055	1923	2132
Civil Review	888	397	1285	519	766
Criminal Review	76	118	194	54	140
Jail Petition	68	10	78	49	29
Grand Total	9994	5133	15127	4899	10228

1.2. Miscellaneous Petitions

Cases	Carried Over	New filing	Total	Disposal	Pending on 31 Decenber, 2021
Civil Misc Petition	518	828	1346	733	613
Criminal Misc Petition	1027	1511	2538	1049	1489
Contempt Petition	82	35	117	10	107
Grand Total	1627	2374	4001	1792	2209

1.3. Appeals

Cases	Carried Over	New filing	Total	Disposal	Pending on 31 Decenber, 2021
Civil	2848	187	3035	67	2968
Criminal	756	67	823	87	736
Jail	0	45	45	14	31
Grand Total	3604	299	3903	168	3735

1.4. Consolidated Statement of Cases (from 01 January, 2021 to 31 December, 2021) in the Appellate Division of the Supreme Court of Bangladesh.

Cases	Carried Over	New filing	Total	Disposal	Pending
Petition	9994	5133	15127	4899	10228
Misc. Petition	1627	2374	4001	1792	2209
Appeals	3604	299	3903	168	3735
Grand Total	15225	7806	23031	6859	16172

Consolidated Statements of All Cases from 01 January, 2021 to 31 December, 2021

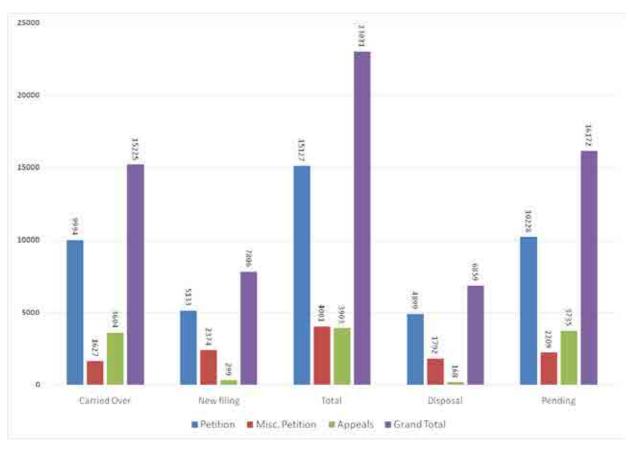


Figure 1: Vertical Bar Chart showing new filing, pendency and disposal of all cases in the year 2021 in the Appellate Division of the Supreme Court of Bangladesh

Statistical data analysis for the Appellate Division of the Supreme Court of Bangladesh

2. Year-wise Filing of New Cases, Disposal and Pendency of Cases from the Year 1972 to 2021

	-	-	
Years	New filing	Disposal	Pending
1972	14	11	4056
1973	113	91	4062
1974	185	153	4094
1975	168	150	4112
1976	257	224	4145
1977	471	386	4230
1978	530	400	4360
1979	540	400	4535
1980	454	372	4790
1981	683	583	4870
1982	723	596	4909
1983	663	565	4875
1984	635	565	4802
1985	531	469	4706
1986	492	444	4736
1987	373	334	5064
1988	474	424	5255
1989	662	597	5214
1990	625	575	5440
1991	556	497	5802
1992	801	709	6254
1993	859	765	6462
1994	1161	1070	6433
1995	973	850	7511
1996	1041	970	8410
1997	1928	1746	8751
1998	1869	1649	9330
1999	1987	1918	10929
2000	2228	2116	11816
2000	3517	2819	8997
2001	3003	2789	4781
2002	3212	2587	5406
2003	3021	2690	5737
2004	3405	2372	
2006	3855	1501	6770 9124
2007	4093	6146	7071
2008	5041	5220	6892
2009	4403	6035	5260
2010	5464	1583	9141
2011	4749	1449	12441
2012	6036	1830	16647
2013	5989	8298	14338
2014	6919	5911	15346
2015	8007	9992	13361
2016	9945	9634	13672
2017	11484	8591	16565
2018	10572	6695	20442
2019	9478	6303	23617
2020	6958	15350	15225
2021	7806	6859	16172

3. Some visible trends

3.1. Trend of filing of new cases, disposal and pendency from the year 1972 to 2021

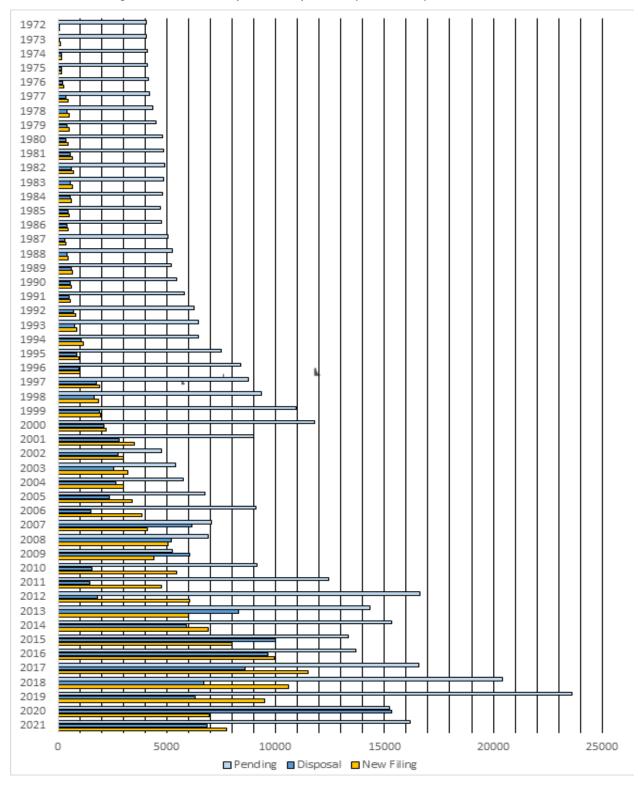


Figure 2: Horizontal Bar Chart of filing of new cases, disposal and pending cases in the Appellate Division of the Supreme Court of Bangladesh from 1972 to 2021

3.2. Trend of New Filing of Cases from the Year 1972 to 2021

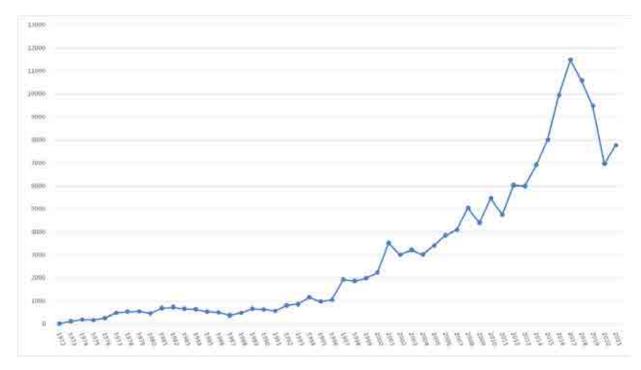


Figure 3: Line graph of filing of new cases from the year 1972 to 2021

3.3. Trend of disposal of cases from the year 1972 to 2021

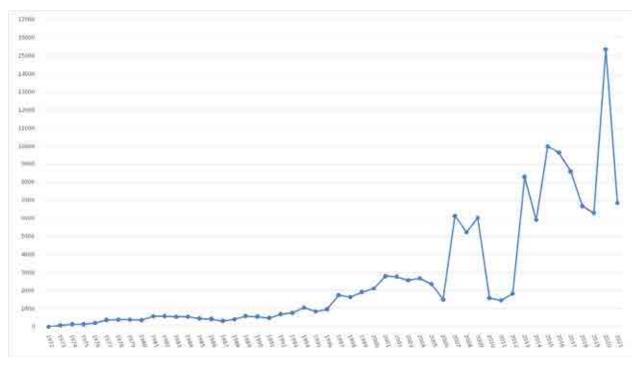


Figure 4: Line graph of disposal of cases from the year 1972 to 2021

3.4. Trend of pending cases from the year 1972 to 2021

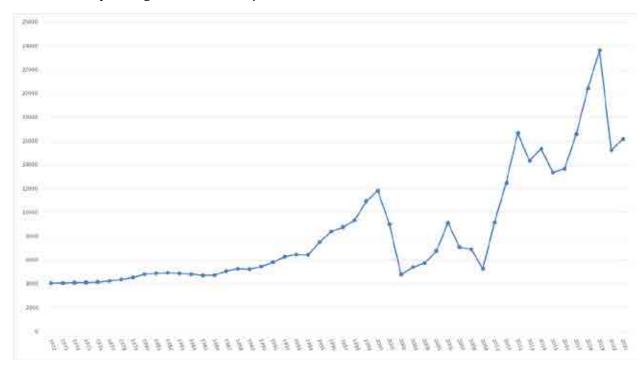


Figure 5: Line graph of pending cases from the year 1972 to 2021

3.5. Comparative Chart of filing of new cases, disposal and pending cases from the year 1972 to 2021

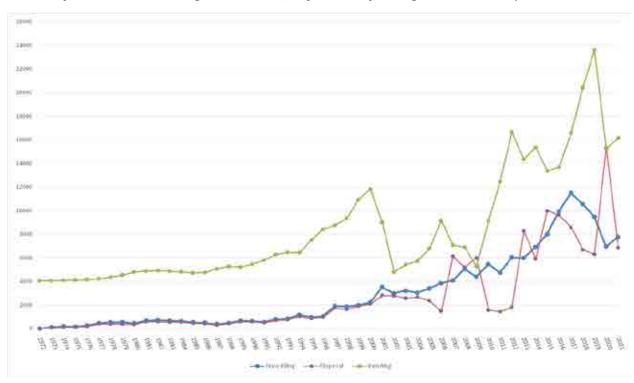


Figure 6: Line graph of pending, disposed off & new filing of cases from the year 1972 to 2021

4. Analysis of the pending cases of the Appellate Division in 2021

The number of pending cases for the year 2021 is16172, while the number of pending Petitionsis 10228, that for Misc. Petitions is 2209 and Appealsis 3735.

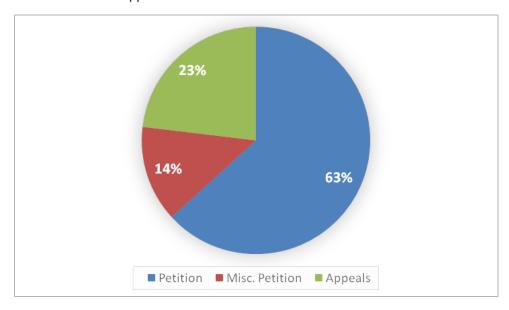


Figure 7: Pie Chart of all pending cases in the Appellate Division of Supreme Court of Bangladesh in the year 2021 There are 63% Petition, 14% Misc. petition and 23% Appeals of all the pending cases.

4.1. Pending Petitions

Carried over	New Filing	Total	Disposal	Pending for Disposal
9994	5133	15127	4899	10228

4.2.Pending Miscellaneous Petitions

Carried over	New Filing	Total	Disposal	Pending for Disposal
1627	2374	4001	1 <i>7</i> 92	2209

4.3. Pending Appeals

Carried over	New Filing	Total	Disposal	Pending for Disposal
3604	299	3903	168	3735

5. Filing of new cases, disposal and pendency of cases in the Appellate Division of the Supreme Court of Bangladesh from 1972 to 2021

5.1. Petitions

Year	Opening Balance	Filing of new cases	Total	Disposal	Pending at the end of the year
1972	2284	0	2284	0	2284
1973	2284	88	2372	72	2300
1974	2300	106	2406	98	2308
1975	2308	141	2449	135	2314
1976	2314	214	2528	195	2333
1977	2333	329	2662	297	2365
1978	2365	360	2725	325	2400
1979	2400	348	2748	315	2433
1980	2518	310	2828	289	2539
1981	2711	433	3144	410	2734
1982	2741	482	3223	420	2803
1983	2768	440	3208	425	2783
1984	2696	447	3143	427	2716
1985	2624	353	2977	325	2652
1986	2570	355	2925	335	2590
1987	2560	271	2831	253	2578
1988	2783	325	3108	306	2802
1989	2865	476	3341	443	2898
1990	2794	388	3182	365	2817
1991	2983	372	3355	352	3003
1992	3187	554	3741	515	3226
1993	3498	556	4054	495	3559
1994	3672	826	4498	793	3705
1995	3601	671	4272	598	3674
1996	4225	720	4945	689	4256
1997	4819	1222	6041	1102	4939
1998	5096	1283	6379	1147	5232
1999	5288	1279	6567	1265	5302
2000	6235	1339	7574	1296	6278
2001	6872	2212	9084	1583	7501
2002	5289	1933	7222	1833	5389
2003	2704	2098	4802	1778	3024
2004	3024	2154	5178	1741	3437
2005	3437	2345	5782	1651	4131
2006	4131	2435	6566	1070	5496
2007	5496	2743	8239	2982	5257
2008	5257	3324	8581	4786	3795
2009	3795	3085	6880	4736	2144
2010	2144	3586	5730	1300	4430
2010	4430	3072	7502	820	6682
2012	6682	4155	10837	1122	9715
2013	9715	3907	13622	4333	9289
2013	9289	4355	13644	3969	9675
		4355			
2015	9675		14639	6001	8638
2016	8638	6072	14710	8110	6600
2017	6600	7148	13748	6511	7237
2018	7237	7114	14351	3786	10565
2019	10565	6346	16911	3405	16506
2020 2021	13506 9994	4043 5133	17549 15127	7555 4899	9994 10228

5.2. Misc. Petitions

Year	Opening Balance	Filing of new cases	Total	Disposal	Pending at the end of the year
1972	1392	0	1392	0	1392
1973	1392	0	1392	0	1392
1974	1392	0	1392	0	1392
1975	1392	0	1392	0	1392
1976	1392	0	1392	0	1392
1977	1392	0	1392	0	1392
1978	1392	0	1392	0	1392
1979	1392	0	1392	0	1392
1980	1392	0	1392	0	1392
1981	1392	108	1500	95	1405
1982	1348	96	1444	85	1359
1983	1318	51	1369	48	1321
1984	1339	55	1394	45	1349
1985	1361	69	1430	58	1372
1986	1367	67	1434	56	1378
1987	1416	64	1480	52	1428
1988	1463	105	1568	87	1481
1989	1503	99	1602	89	1513
1990	1541	137	1678	125	1553
1991	1581	127	1708	102	1606
1992	1685	165	1850	132	1718
1993	1791	206	1997	192	1805
1994	1838	238	2076	208	1868
1995	1892	239	2131	205	1926
1996	2260	262	2522	242	2280
1997	2464	573	3037	555	2482
1998	2495	446	2941	407	2534
1999	2731	586	3317	545	2772
2000	2895	643	3538	610	2928
2001	2988	709	3697	695	3002
2002	2293	703	2996	687	2309
2003	699	654	1353	639	714
2004	714	600	1314	727	587
2005	587	776	1363	503	860
2006	860	1199	2059	187	1872
2007	1872	1039	2911	2512	399
2008	399	1327	1726	264	1462
2009	1462	547	2009	811	1198
2010	1198	1500	2698	47	2651
2011	2701	1440	4141	482	3659
2012	3659	1633	5292	567	4725
2013	4725	1803	6528	3754	2774
2014	2774	2220	4994	1654	3340
2015	3340	2406	5746	3367	2379
2015	2379	2946	5325	943	4382
2017	4382	3697	8079	1687	6392
2017	6392	3167	9559	2632	6927
2018	6927	2584	9539	2754	6757
2019	6757	2137	9511 8894	7267	1627
∠U∠U	0/3/	419/	0094	/ 40/	104/

5.3. Appeals

Year	Opening Balance	Filing of new cases	Total	Disposal	Pending at the end of the year
1972	361	14	375	11	364
1973	364	25	389	19	370
1974	370	79	449	55	394
1975	394	27	421	15	406
1976	406	43	449	29	420
1977	420	142	562	89	473
1978	473	170	643	75	568
1979	568	192	760	85	675
1980	625	144	769	83	686
1981	687	142	829	78	751
1982	781	145	926	91	835
1983	823	172	995	92	903
1984	840	133	973	93	880
1985	817	109	926	86	840
1986	769	70	839	53	786
1987	760	38	798	29	769
1988	818	44	862	31	831
1989	887	87	974	65	909
1990	879	100	979	85	894
1991	876	57	933	43	890
1992	930	82	1012	62	950
1993	965	97	1062	78	984
1994	950	97	1047	69	978
1995	940	63	1003	47	956
1996	1026	59	1085	39	1046
1997	1127	133	1260	89	1171
1998	1160	140	1300	95	1205
1999	1311	122	1433	108	1325
2000	1799	246	2045	210	1835
2001	1956	596	2552	541	2011
2002	1415	367	1782	269	1513
2003	1378	460	1838	170	1668
2004	1668	267	1935	222	1713
2005	1713	284	1997	218	1779
2006	1779	221	2000	244	1756
2007	1756	311	2067	652	1415
2008	1415	390	1805	170	1635
2009	1635	771	2406	488	1918
2010	1918	328	2246	236	2010
2011	2010	237	2247	147	2100
2012	2100	248	2348	141	2207
2013	2207	279	2486	211	2275
2014	2275	344	2619	288	2331
2015	2331	637	2968	624	2344
2016	2344	927	3271	581	2690
2017	2690	639	3329	393	2936
2018	2936	291	3227	277	2950
2019	2950	548	3498	144	3354
2020	3354	778	4132	528	3604
2020	3604	299	3903	168	3735

6. Maximum number of Judges at a time during the year in the Appellate Division of the Supreme Court of Bangladesh from 1972 to 2021

Period	Number of Judges including Chief Justice
1972	3
1973	4
1974	5
1975	5
1976	5
1977	5
1978	4
1979	5
1980	5
1981	5
1982	5
1983	5
1984	5
1985	4
1986	5
1987	5
1988	5
1989	5
1990	5
1991	5
1992	5
1993	5
1994	5
1995	4
1996	5
1997	5
1998	5
1999	6
2000	5
2001	5
2002	5
2003	7
2004	8
2005	7
2006	7
2007	6
2008	7
2009	11
2010	8
2011	10
2012	7
2012	10
2013	9
2014	8
2015	9
2016	9
	7
2018	7
2019	9
2020	
2021	7

Statistics on Filing of New Cases, Disposal and Pendency of Cases in the High Court Division of the Supreme Court of Bangladesh

1. Statement showing new filing, disposal & pendency of cases (from 01 January, 2021 to 31 December, 2021)

1.1. Statement for all cases from 01 January, 2021 to 31 December, 2021 in the High Court Division of Supreme Court of Bangladesh

Cases	Opening Balance	New Filing	Restored	Total	Disposal	Current Pendency	Remarks
Civil	87282	4336	35	91653	3276	88377	Increased by 1095
Criminal	261775	62927	02	324704	12034	312670	Increased by 50895
Writ	91196	13839	14	105049	7970	97079	Increased by 5883
Original	12710	2114	00	14824	374	14450	Increased by 1740
Grand Total	452963	83216	51	536230	23654	512576	Increased by 59613

Consolidated statement for all cases from 01 January, 2021 to 31 December, 2021

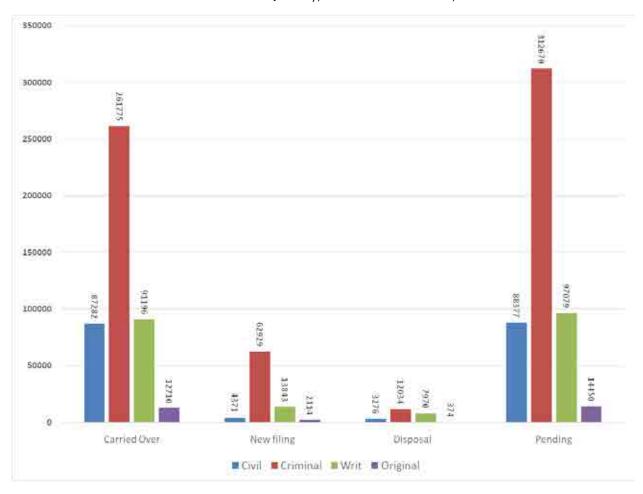


Figure 1: Vertical Bar Chart of pendency, new filing and disposal of all cases in the year 2021 in the High Court Division of the Supreme Court of Bangladesh

2. Statistical data analysis for the High Court Division of the Supreme Court of Bangladesh

2. 1. Year wise new filing, disposal and pendency of all cases from 1972 to 2021

Years	New Filing	Disposal	Pending
1972	2461	3873	20567
1973	5654	3657	24063
1974	8844	6402	28186
1975	4896	5190	29545
1976	4515	7241	28287
1977	5656	8195	26676
1978	5765	7309	26620
1979	5145	7597	24716
1980	4026	7032	22779
1981	5054	6950	21652
1982	919	3615	21061
1983	1550	5456	19115
1984	1891	3556	21159
1985	2960	3529	22460
1986	3558	3360	24468
1987	5187	3272	28810
1988	8220	3564	33289
1989	11381	6099	37739
1990	11583	9789	39261
1991	12809	5565	45681
1992	14098	6543	51764
1993	13775	7799	57749
1994	15061	8401	64281
1995	17326	10844	70990
1996	21045	11526	79457
1997	23838	12337	88388
1998	23909	13744	97574
1999	24143	11863	108323
2000	27931	11049	122178
2001	32328	16014	135879
2002	45627	22048	154168
2003	37734	20331	168447
2004	34217	15581	184811
2005	42900	16894	208389
2006	48056	13839	240483
2007	47555	16578	262345
2007	53220	21664	293901
2009	53155	21485	325571
2010	57470	69306	313735
2010	45084	68425	279923
2012	56732	38437	297731
2012	50010	24295	323446
2014	60069	22477	361038
2015	70940	37753	394225
	70940	39878	424994
2016 2017	87252	35496	424994 476750
2018	88801	49035	516652
2019	107568	135275	489068
2020	64013	34192	452963
2021	83216	23654	512576

2.2. Some visible Trends

2.2.1.Trend of new filing, disposal and pendency (1972 to 2021)

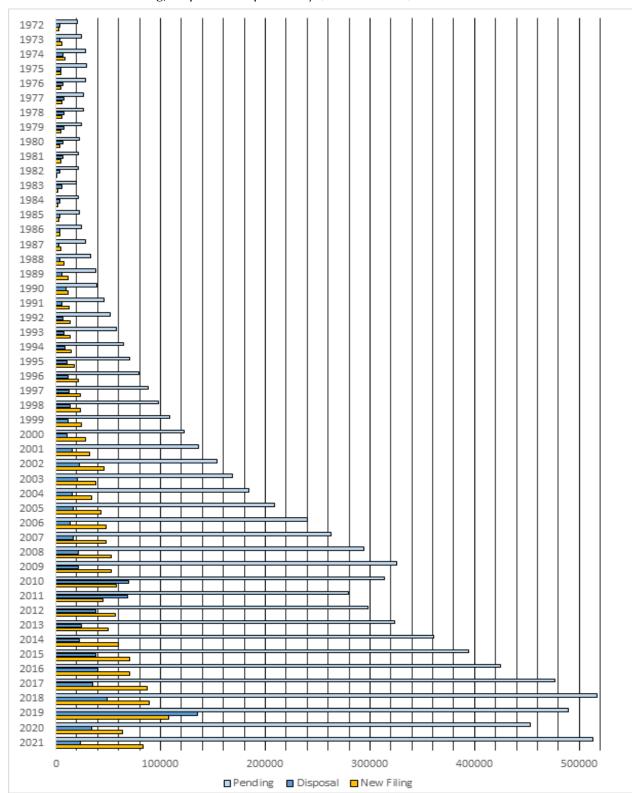


Figure 2: Horizontal Bar Chart of new filing, disposal and pending cases in the High Court Division of the Supreme Court of Bangladesh from the year 1972 to 2021

2.2.2. Trend of new filing of cases from the year 1972 to 2021

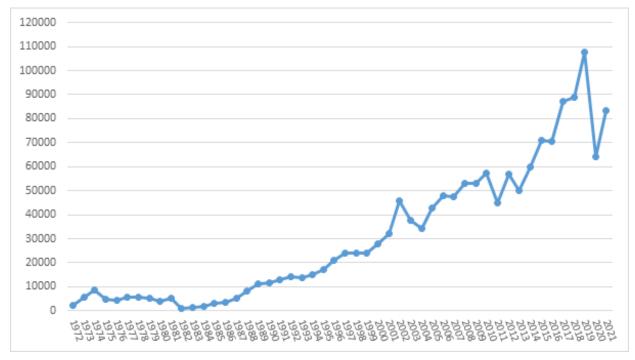


Figure 3: Line graph of filing of new cases from the year 1972 to 2021

2.2.3. Trend of disposal of cases from the year 1972 to 2021

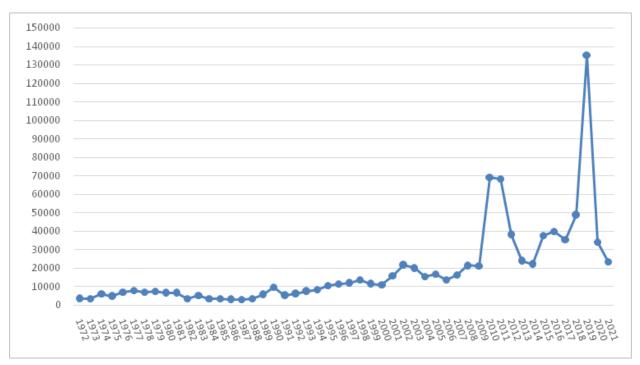


Figure 4: Line graph of disposal of cases from the year 1972 to 2021

2.2.4. Trend of pending cases from the year 1972 to 2021

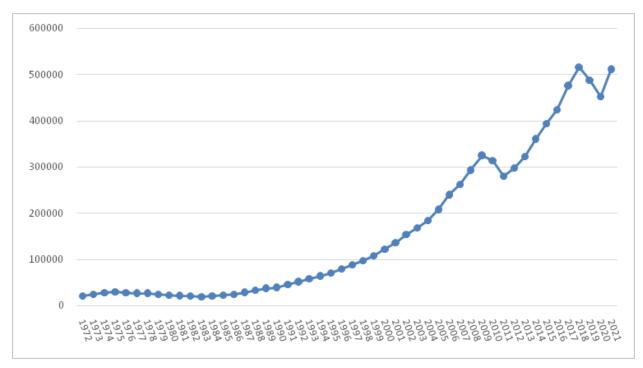


Figure 5: Line graph of pending cases from the year 1972 to 2021

2.2.5. Comparative Chart of new filing, disposal and pending cases from the year 1972 to 2021

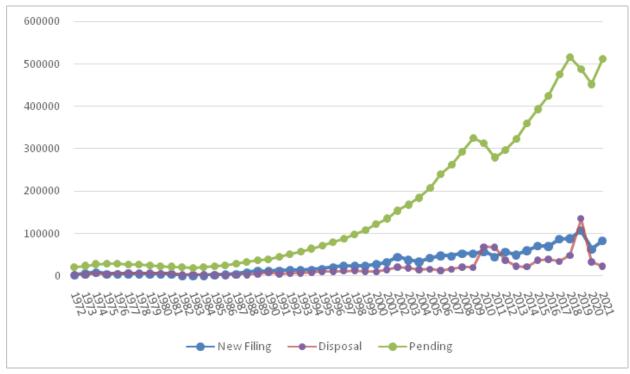


Figure 6: Line graph of pending, disposal & filing of new cases from the year 1972 to 2021

3. Analysis of the pending balance for the High Court Division in 2021

The number of all pending cases for the year 2021 is 512576, while the pending balance for Civil Cases is 88377, that for Criminal Cases is 312670, for Writ is 97079 and for Original Cases is 14450.

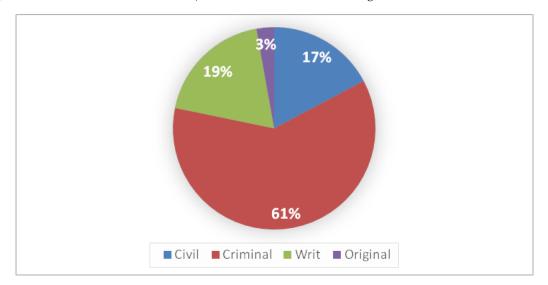


Figure 7: Pie Chart of all pending cases in the High Court Division in the year 2021.

There are 61% Criminal cases, 17% Civil cases, 19% Writ and 3% Original cases of all the pending cases.

3.1. Pending Civil Cases

Carried over	New Filing and Restoration	Total	Disposal	Pending for Disposal
87282	4371	91653	3276	88377

3.2. Pending Criminal Cases

Opening Balance	New Filing and Restoration	Total	Disposal	Pending for Disposal
261775	62929	324704	12034	312670

3.3. Writ

Opening Balance	New Filing and Restoration	Total	Disposal	Pending for Disposal
91196	13853	105049	7970	97079

3.4. Original

Opening Balance	New Filing and Restoration	Total	Disposal	Pending for Disposal
12710	2114	14824	374	14450

4. Filing of new cases, disposal and pendency of cases in the High Court Divisionfrom 1972 to 2021

4.1.Civil Cases

Year	Carried over	New Filing	Total	Disposal	Pending
1972	15517	1615	17132	752	16380
1973	16380	2771	19151	798	18353
1974	18353	3884	22237	3498	18739
1975	18739	2593	21332	1955	19377
1976	19377	2775	22152	2323	19829
1977	19829	2652	22481	3933	18548
1978	18548	2769	21317	3550	17767
1979	17767	2391	20158	3391	16767
1980	16767	1268	18035	2755	15280
1981	15280	2656	17936	3819	14117
1982	14117	489	14606	783	13823
1983	13823	667	14490	2325	12165
1984	13823	1044	14867	864	14003
1985	14003	1359	15362	873	14489
1986	14489	1534	16023	606	15417
1987	15417	2750	18167	750	17417
1988	17417	1575	18992	998	17994
1989	17994	4284	22278	2467	19811
1990	19811	4595	24406	4033	20373
1991	20373	4595	24968	2033	22935
1992	22935	4435	27370	2289	25081
1993	25081	5017	30098	2850	27248
1994	27248	5884	33132	3935	29197
1995	29197	6440	35637	3137	32500
1996	32500	5942	38442	3340	35102
1997	35102	6839	41941	5078	36863
1997	36863	7540	44403	4314	40089
1998	40089	7589	47678	3428	44250
2000	44250	8565	52815	2384	50431
2000	50431	9348	59779	4185	55594
2001		9020	64614	6400	
2002	55594 58214	9020 7447	65661	4656	58214 61005
2003		7908			
	61005		68913	3801	65112
2005	65112	7253	72365	3723	68642
2006	68642	6867	75509	3693	71816
2007	71816	7721	79537	4881	74656
2008	74656	6257	80913	5275	75638
2009	75638	6716	82354	6565	75789
2010	75789	6667	82456	4597	77859
2011	77859	6662	84521	5118	79403
2012	79403	6418	85821	5233	80588
2013	80588	5691	86279	3472	82807
2014	82807	6471	89278	4862	84416
2015	84416	7088	91504	4194	87310
2016	87310	6603	93913	3665	90248
2017	90248	6431	96679	3505	93174
2018	93174	6471	99645	4021	95624
2019	95624	6013	101637	4021	97616
2020	97616	3702	286470	2686	87282
2021	87282	4371	91653	3276	88377

4.2.Criminal Cases

Year	Carried over	New Filing	Total	Disposal	Pending
1972	3391	544	3935	1016	2919
1973	2919	1964	4883	784	4099
1974	4099	3349	7448	826	6622
1975	6622	1767	8389	1041	7348
1976	7348	1093	8441	2720	5721
1977	5721	1876	7597	2051	5546
1978	5546	1881	7427	1678	5749
1979	5749	1718	7467	2058	5409
1980	5409	1597	7006	2006	5000
1981	5000	1397	6397	1076	5321
1982	5321	320	5641	674	4967
1983	4967	663	5630	985	4645
1984	4645	595	5240	490	4750
1985	4750	748	5498	486	5012
1986	5012	1248	6260	529	5731
1987	5731	1264	6995	371	6624
1988	6624	3950	10574	289	10285
1989	10285	4487	14772	1579	13193
1990	13193	4664	17857	3053	14804
1991	14804	4679	19483	1399	18084
1991	18084	4822	22906	1879	21027
1992	21027	6170	27197	2507	24690
1994	24690	6189	30879	2131	28748
1995	28748	7786	36534	5417	31117
1996	31117	8279	39396	5978	33418
1997	33418	8560	41978	4927	37051
1998	37051	11508	48559	7021	41538
1999	41538	10881	52419	5910	46509
2000	46509	12445	58954	5790	53164
2001	53164	15092	68256	9219	59037
2002	59037	27000	86037	13192	72845
2003	72845	21363	94208	13300	80908
2004	80908	18297	99205	9332	89873
2005	89873	25179	115052	10760	104292
2006	104292	27747	132039	7833	124206
2007	124206	27779	151985	9035	142950
2008	142950	34492	177442	7071	170371
2009	170371	36725	207096	8096	199000
2010	199000	39631	238631	56705	181926
2011	179698	25573	205271	52149	153122
2012	153122	31258	184380	24108	160272
2013	160272	30137	190409	12414	177995
2014	177995	39301	217296	7745	209551
2015	209551	47870	257421	19457	237964
2016	237964	45353	283317	25836	257481
2017	257481	59491	316972	19337	297635
2018	297635	63623	361258	31923	329335
2019	329335	83688	413023	120594	292429
2020	292429	47170	286457	24682	261775
2021	261775	62929	324704	12034	312670

4.3.Writ

Year	Carried over	New Filing	Total	Disposal	Pending
1972	799	8	807	10	797
1973	797	751	1548	474	1074
1974	1074	1461	2535	293	2242
1975	2242	438	2680	322	2358
1976	2358	538	2896	508	2388
1977	2388	975	3363	1049	2314
1978	2314	1027	3341	490	2851
1979	2851	923	3774	1431	2343
1980	2343	1057	3400	911	2489
1981	2489	899	3388	1220	2168
1982	2168	0	2168	0	2168
1983	2168	0	2168	0	2168
1984	2168	0	2168	0	2168
1985	2168	567	2735	57	2678
1986	2678	494	3172	252	2920
1987	2920	890	3810	102	3708
1988	3708	1745	5453	1560	3893
1989	3893	2490	6383	2361	4022
1990	4022	2015	6037	2917	3120
1991	3120	3142	6262	2567	3695
1992	3695	4455	8150	3356	4794
1993	4794	2244	7038	2097	4941
1994	4941	2639	7580	2174	5406
1995	5406	2745	8151	1830	6321
1996	6321	6490	12811	3042	9769
1997	9769	7988	17757	4539	13218
1998	13218	4362	17580	2958	14622
1999	14622	5078	19700	3162	16538
2000	16538	6345	22883	5349	17534
2001	17534	7256	24790	4614	20176
2001	20176	8782	28958	7292	21666
2002	21666	7722	29388	5127	24261
2003	24261	7192	31453	4276	27177
2004		9628	36805	4433	32372
	27177 32372				
2006 2007	40936	12693 11166	45065 52102	4129 11122	40936 40980
2008	40980	11589	52569	8915 6370	43654
2009	43654	8848	52502		46132 49159
2010	46132	10330	56462	7303	
2011	40916	11587	52503	10924	41579
2012	41579	18003	59582	8028	51554
2013	51554	13013	64567	7473	57094
2014	57094	12861	69955	8688	61267
2015	61267	14347	75614	13457	62157
2016	62157	17026	79183	9857	69326
2017	69326	19563	88889	12119	76770
2018	76770	17234	94004	12560	81444
2019	81444	16415	97859	10006	87853
2020	87853	11930	97667	6471	91196
2021	91196	13853	105049	7970	97079

4.4. Original Cases

Year	Carried over	New Filing	Total	Disposal	Pending
1972	310	294	604	133	471
1973	471	168	639	102	537
1974	537	150	687	104	583
1975	583	98	681	219	462
1976	462	109	571	222	349
1977	349	153	502	234	268
1978	268	88	356	103	253
1979	253	113	366	169	197
1980	197	104	301	291	10
1981	10	102	120	74	46
1982	46	110	266	176	103
1983	103	220	355	163	137
1984	137	252	423	218	238
1985	238	286	520	185	281
1986	281	282	564	239	400
1987	400	283	1350	164	1061
1988	1061	950	1181	289	1117
1989	1117	120	1426	64	713
1990	713	309	1106	713	964
1991	964	393	1350	142	967
1992	967	386	1311	383	862
1993	862	344	1211	449	870
1994	870	349	1225	341	930
1995	930	355	1264	295	1052
1996	1052	334	1503	212	1168
1997	1168	451	1667	335	1256
1998	1256	499	1851	411	1325
1999	1325	595	1901	526	1026
2000	1026	576	1658	875	1049
2001	1049	632	1681	609	1072
2002	1072	825	1897	454	1443
2003	1443	1202	2645	372	2273
2004	2273	820	3093	444	2649
2005	2649	840	3489	406	3083
2006	3083	749	3832	307	3525
2007	3525	889	4414	655	3759
2008	3759	882	4641	403	4238
2009	4238	866	5104	454	4650
2010	4650	842	5492	701	4791
2011	4791	1262	6053	721	5332
2012	5332	1053	6385	1068	5317
2013	5317	1169	6486	936	5550
2014	5550	1436	6986	1182	5804
2015	5804	1635	7439	645	6794
2016	6794	1665	8459	520	7939
2017	7939	1767	9706	535	9171
2017	9171	1609	10780	531	10249
2019	10249	1575	11824	654	11170
2020	11170	1273	13063	353	12710
2020	12710	2114	14824	374	14450

5. Maximum number of Judges at a time during the year in the High Court Division of the Supreme Court of Bangladesh from 1972 to 2021

Period	Number of Judges
1972	10
1973	8
1974	12
1975	12
1976	13
1977	18
1978	17
1979	16
1980	19
1981	18
1982	18
1983	18
1984	24
1985	24
1986	21
1987	25
1988	29
1989	29
1990	29
1991	28
1992	25
1993	31
1994	38
1995	35
1996	30
1997	36
1998	36
1999	39
2000	43
2001	48
2002	55
2003	48
2004	54
2005	72
2006	71
2007	68
2008	67
2009	78
2010	94
2011	98
2012	101
2013	95
2014	90
2015	97
2016	95
2017	89
2017	95
2019	100
2019	97
2020	97
2021	92

Civil Liberties Juxtaposed with Counterterrorism and Material Support Laws: An Overview*

Justice Syed Refaat Ahmed



In this brief examination of competing judicial perspectives on the topic of criminalizing humanitarian action a comparative study is undertaken of two cases adjudged by the US and UK Supreme Courts. The purpose is to determine which, from both a human rights and doctrinal perspective, serves as a more compelling precedent.

In 2010 the US Supreme Court upheld the constitutionality of the Patriot Act, 2001, a federal "material support" statute, in Holder v Humanitarian Law Project (Holder v. HLP) [18 USC 2339] as criminalizes ostensibly innocuous and even lifesaving activities and assistance like conducting human rights and humanitarian law advocacy and training programmes and supply of essentials like food, water, or shelter to designated "foreign terrorist organizations" (FTOs) or non-state entities (NSEs). HLP had, in the facts, attracted judicial ire as it sought to engage with the

Kurdistan Workers' Party in Turkey and Sri Lanka's Liberation Tigers of Tamil Elam through programmes on peaceful resolution of conflicts.

The decision in Holder v. HLP in effect reflects a growing trend in both international and municipal law to deter, restrict and penalize connections between humanitarian actors and NSEs to an extent that critics say hampers the long-term objective of attaining sustainable peace from the rubble of festering conflicts. From a human rights perspective the immediate concern is that the very concept of rule of law suffers at the hands of the law criminalizing humanitarian action. The reverberations from the Holder v. HLP decision shall long be felt because of the US Supreme Court's rejection of claims that the law impugned ran counter to the prohibition under the First Amendment of the abridgement of the freedoms of speech and association or that the law was bad for want of clarity. The Supreme Court accorded primacy of consideration to the overarching nature of the criminal conduct of FTOs and in that light considered training imparted to such designated terrorist organizations, albeit with a declared agenda to resolve political disputes peaceably, as tools for aiding and abetting terrorism per se given that by the Court's reckoning terrorist outfits are not structurally equipped to ensure distinctions between the quest for peace and achieving political gains through violent means. Predicated on the above, the Supreme Court held that law as muzzles expressive activity protected under the First Amendment does not necessarily have to be clothed with utmost clarity as to prohibited assistance programmes and a test akin to the reasonable or ordinary man test would need to be satisfied instead for dissociation with FTOs.

In the realm of international law counterterrorism-related Security Council Resolutions have gained notoriety both in terms of placing limits on the activities of humanitarian organizations and requiring the UN Charter member states to implement such Resolutions by methods of enlistments of terrorists or terrorist groups through the channel of municipal law enactments (by reference particularly to articles 25 and 41 of the UN Charter) but which run the real risk of falling short of human rights standards.

In combating terrorism worldwide the United Nations has sought to bring about a legal régime of sanctions and enforcement that tie member states in a network of uniform and mutually reinforcing measures aimed at plugging access of NSEs identified as terrorist groups to funds, resources, non-combative technical knowhow and capacity building (e.g., in terms of working towards a peaceful resolution of disputes, human rights sensitization programmes etc.). In this regard reliance has necessarily been placed on the UN Charter's Chapter VII provisions of which the authority of the UN Security Council (UNSC) to "decide what measures not involving the use of armed force are to be employed to give effect to its decisions" (article 41) on addressing threats to peace, breaches of the peace and acts of aggression assumes centrestage. Of equal significance is the mandatorily binding nature of such article 41-decisions that enables the UNSC to "call upon the Members of the United Nations to apply such measures." It is that element of the enforcement of compliance measures within the realm of municipal or domestic law that acquires considerable jurisprudential significance. In this regard, it shall suffice to throw light on two UNSC Resolutions i.e. Resolution 1267 (1999) and Resolution 1373 (2001).

This overview is an adaptation of a Lecture delivered by the author as Distinguished Expert Speaker at the Conference On Criminalization of Humanitarian Action And Access To Victims on 20 November, 2021.

A succinct introduction of Resolutions 1267 (1999) and 1373 (2001) is extracted hereinbelow from a February 2011 Working Paper of Harvard University's Program On Humanitarian Policy and Conflict Research (HPCR) titled "Humanitarian Action and Scrutiny: Criminalizing Humanitarian Engagement":

With Resolution 1267 (1999), acting under Chapter VII the Security Council created a mechanism to combat terrorism through a sanctions regime targeted at members of the Taliban and, later, of al-Qaeda. Resolution 1267 and its progeny require all UN member states to, among other things, freeze the funds and other financial assets of the individuals and entities designated on the Consolidated List. In addition, under this collection of resolutions member states must prevent the entry into or transit through their territories of individuals designated on the Consolidated List. The 1267 Committee oversees the implementation of the sanctions, considers names submitted for listing and de-listing, and considers exemptions to sanctions measures. The 1267 regime does not provide a humanitarian exemption that is applicable in all circumstances, but it does provide a basis on which a listed entity may apply for a limited form of humanitarian exemption. As of January 2011, the Consolidated List included 393 individuals and 92 entities and other groups associated with al-Qaeda.

After the September 11, 2001 attacks in the US, the Security Council enacted another counter-terrorism regime under its Chapter VII powers. Resolution 1373—which is not aimed at a specific group, but rather casts a much wider net by providing only a baseline from which states may expand their counterterrorism laws—requires member states to prevent and suppress the financing of terrorist acts. For instance, the resolution requires states to:

[p]rohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons.

At the same time, UNSCR 1373 also requires member states to "[r]efrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists." Resolution 1373 established the Counter-Terrorism Committee (CTC) to monitor implementation and to provide technical assistance to member states. Later, the Security Council established the Counter-Terrorism Committee Executive Directorate through Resolution 1535 (2004).

In 2009 Bangladesh enacted the Anti-Terrorism Act ("2009 Act") which in the spirit of article 25 of the UN Charter permits of accepting and carrying out the decisions of the UNSC. The 2009 Act allows for categorization as a "material support" legislation in that it, against the backdrop of prohibiting membership in or support of internationally listed terrorist entities, criminalizes the providing of money, services or any other property or any other assistance to any person or entity by any person or entity by which terrorist activities have been or may be committed². The Anti-Terrorism Rules, 2013 ("the Rules") made by the Government by authority of section 43 of the 2009 Act forges yet a closer working relationship with a plethora of UNSC Resolutions, with Resolutions 1267 (1999) and 1373 (2001) being the more notable among them, "and any successor resolutions to be adopted by the Security Council of the United Nations in the future, under Chapter VII of the Charter of the United Nations" [rule 2(g)].

Part IV of the Rules deals with the implementation of UNSC Resolution provisions and serves the primary purpose of stifling the economic lifeline of individuals and groups and entities who are enlisted under UNSC Resolutions i.e., "listed individuals and entities" defined under rule 2(e). In that spirit, e.g., rule 17(5) sanctions the monitoring of account transactions of such listed individuals and entities and consequentially to "take reasonable measures to prohibit any individual or entities from making any funds, financial assets or economic resources or related services available for the benefit of the individual or entities engaged in or suspected to be engaged in terrorism" [rule 17(6)]. These provisions potentially therefore, criminalizes via the route of the provisions of Resolution 1373 (2001) any humanitarian action and essential services provided to NSEs which may find themselves to be so enlisted.

^{1.} The Consolidated List includes all individuals and entities subject to measures imposed by the UNSC.

^{2.} See, for example sections 2(26), 17 and 20Ka of the 2009 Act. Also see Reflecting on the Anti-Terrorism Act, 2009, The Daily Star, 14 November, 2021.

Furthermore, Part III of the Rules allows for domestic proscription of any entity and enlistment of a person under the authority of Resolution 1373 (2001) and requests to be made of other countries to take reciprocating measures in accordance with the procedure as laid down in Resolution 1373 (2001) [rule 8]. In that all-pervasive spirit of reciprocity or quid pro quo, the Rules also allow for implementation of requests received from foreign countries under Resolution 1373 (2001) [rule 18]. The Rules also necessarily stipulate for a National Committee on the Implementation of the UNSC Resolutions to Combat Terrorism and Financing of Terrorism formed by the Government under S.R.O. No. 398-Law/2012 dated 29 November, 2012 to propose to the 1267 Committee of the UNSC for designation of a person or entity that meets the specific criteria for designation as set out in Resolution 1989 (2011)³ and related Resolutions [rule 2(6) read with rule 10].

Notably, the High Court Division of the Supreme Court of Bangladesh is vested with appellate powers at various points of judicial intervention as identified, for example, in sections 31 and 37 of the 2009 Act and rules 9(3) and 44 of the Rules.

The concern from a purely jurisprudential perspective is whether the enlistment processes so sanctioned both at the international and national planes are clothed with the essence of Rule of Law. In this regard it is emphasized that certain precepts must inform the process of making good law and counterterrorism laws doubling as "material support" laws are no exception in that regard. From a naturalist perspective of the morality of law espoused, for example, by Lon Fuller, good law must satisfy the precepts of publication, freedom from conflict and contradiction in interpretation and implementation and be intelligible that naturalists so insist as collectively constituting the "inner morality of law". Lon Fuller's thesis has as its starting point the identification of precepts or 'desiderata' that must inform any law-making process in order to produce good law4. For Fuller, legal systems have to be based on declared rules that are prospective, inherently clear, entrenched, and permitting of compliance and execution in keeping with declared objectives. These in aggregate constitute for Fuller "the inner morality of law"5. A legal régime shall, consequentially, have its validity gauged by its degree of compliance with such precepts.

Keen as one may be on the convergence of international and municipal law standards through varied processes of ratification of a state's international law obligations (ideally through domestic legislation that transport such standards into the municipal law domain), it is pertinent to bear in mind too that judiciaries worldwide (especially in common law jurisdictions as ours) are wary of transgressions on fundamental guarantees that such convergence may inevitably entail and are, therefore, wont to resist and address such encroachments on civil liberties. The mindset of common law judges, and bearing in mind Lon Fuller's "desiderata" as reference points for a sound law-making process, the following passages earlier penned by myself merit reiteration here⁶:

...I argue that it falls on judges today operating within a modern day constitutional dispensation to decide on the true proposition of law. That indeed has been the preoccupation and thrust of common law principles that have evolved over the centuries in the field of judicial review of the sufficiency and legality of administrative or executive decisions. The content of these principles derive from the concepts of political and personal morality like justice, liberty, equality, right and wrong etc.. It becomes imperative therefore for the judiciary in discharge of its constitutional mandate to rely on these interpretative concepts in finding and identifying the true proposition of law. Furthermore, the sum total of these concepts is reflected in our image of legality and the Rule of Law constituting the fundamental basis of a democratic order. Indeed that is the ideal that any proposition of valid law must aim at. It is that ideal that in turn reflects the aspirational value of law.

There are certain pathways through which the aspirational value may be determined. Judicial independence marked by integrity, morality and pragmatism are but a few of the indicators that judges must conform to in arriving at coherent, intelligible and reasoned conclusions as to the scope and nature of the law. It is at this juncture that a theoretical or jurisprudential ascent takes place in discarding traditional, and strictly positivist, modes of defining and applying the law.

Resolution 1989 (2011) modified the 1267 Committee to deal only with sanctions against Al-Qaeda and associates. This Resolution reaffirmed the assets frieze, travel ban and arms embargo affecting all individuals and entities on the 1267 Committee's Al-Qaeda Sanctions List.

Nigel Simmonds, Law As A Moral Idea (Oxford University Press, 2007), 65.

Justice Syed Refaat Ahmed, Aspirational Value of Law: Test Case on Workers' Rights, Lecture delivered at the Asiatic Society of Bangladesh, 13 October,

The theoretical ascent we speak of here has a core moral element to it. And that element in turn is essentially constitutional. Our Constitution, like many others worldwide, places constraints on legislative and executive power in terms as are to be construed as moral. Constitutionally guaranteed freedoms and rights, in themselves read as limits on official power to arbitrarily derogate from or deny the same. And increasingly the fundamental principles of state policy are being invoked by the Constitutional Courts not merely for the interpretation of the law but also the progressive development of the law. Article 102 of the Constitution in authorizing the judiciary to examine violations of fundamental rights or to issue writs in Certiorari, Prohibition, Mandamus, Habeas Corpus or Quo Warranto sanctions the various pathways through which judges sitting in judicial review can make moral judgments on moral issues for attainment of that ultimate aspirational value of both legality and Rule of Law.

... (The Court) probes into the inadequacies of a legal provision, the inequities that result from it... to identify and clarify the true content and proposition of the law. The presumption is of a moral test applied by the Court in asking itself 'what ought the law fairly and reasonably achieve?' In other words, what does the law aspire to achieve?... What emerges, (ideally), is a complementary functioning of two organs of the State - the judiciary and the legislature - mutually reinforcing the common quest for establishing the Rule of Law without straying beyond their constitutional boundaries.

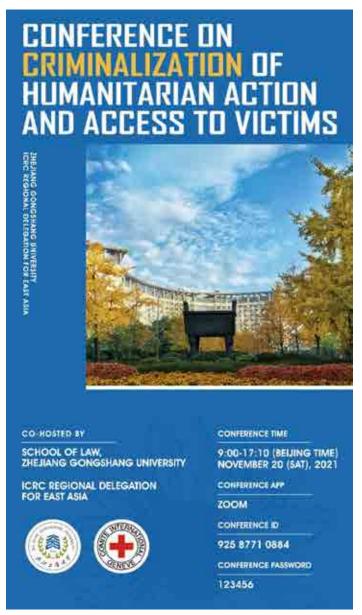
Quite similar to the Bangladeshi legislative experience and ethos the UK, by reference to inter alia article 41 of UN Charter, Resolution, 1267 (1999) and 1373 (2001) and under authority of section 1 of the United Nations Act, 1946, made the Terrorism (United Nations Measures) Order 2006 and the Al-Qaida and Taliban (United Nations Measures) Order 2006 to give effect to Resolutions 1267 (1999) et seq. and 1373 (2001) et seq. with a view to preventing the financing of terrorism. The freezing of economic assets of designated persons fell under the purview of such Orders. In this regard, article 4(1)(2) of the Terrorism Order allowed the Treasury to designate anybody it had reasonable grounds to suspect inter alia "is or may be (a) a person who commits, attempts to commit, participates in or facilitates the commission of acts of terrorism". It so transpired that the Treasury had designated Mohammed Jabar Ahmed, as well as Mohammed al-Ghabra and Hani El Sayed Sabaei Youssef, as suspects and their bank accounts were frozen. They applied for the order to be set aside.

The judicial intervention in that case resulted eventually in the decision in *HM Treasury v. Mohammed Jabar Ahmed and others (FC); HM Treasury v. Mohammed al-Ghabra (FC); R (on the application of Hani El Sayed Sabaei Youssef) v. HM Treasury [(2010) UKSC 2] (HMT v. Ahmed) that has acquired significant precedential value in the realm of counterterrorism laws. The doctrinal significance and precedential value of the judgment that asset-freezing orders under the United Nations Act, 1946 were unlawful because the 1946 Act did not permit of measures violative of fundamental rights without further parliamentary scrutiny can be enumerated thus:*

- It reemphasized the grounds for judicial review in cases as this as set out by Lord Diplock⁷ in the landmark case, Council of Civil Service Unions vs. Minister for the Civil Service, [1984] 3 All E.R. 935; [1985] AC 374 i.e., illegality, irrationality, (natural justice, fair hearing, duty to give reasons) procedural impropriety and proportionality.
- The implication further is that the more any legislation interferes with fundamental human rights the closer would be the judicial scrutiny applied.
- It asserted the greater Parliamentary scrutiny of delegated legislation.
- It reinforced the view that the right to a fair hearing is a common law standard that the court can infer if Parliament has not laid down the statutory procedural rules, the right to a fair hearing being a rule of natural justice.
- This case was a move away, albeit a cautious one, from the Court's usual stance or reserve/self-restrain to steer clear of issues of national security.
- Its implications are far-reaching for other common law jurisdictions like Bangladesh that have similar UNSC Resolution-implementing legislation like the 2009 Act and the Rules.

^{7.} Whom Syed Ishtiaq Ahmed dubs as "a principal builder of the system" i.e., administrative law. See, Syed Ishtiaq Ahmed, Certiorari: An Administrative Law Remedy (Mullick Brothers, 2011), 93-95.

This case overturned the method involving the issuance of Statutory Orders i.e., pieces of delegated legislation, through which the UK hitherto complied with UNSC Resolutions 1373 (2001) and caused the UK Government to pass within a week the Terrorist Asset-Freezing (Temporary Provisions) Act 2010 followed by its repeal and enactment of its successor legislation, the Terrorist Asset-Freezing etc. Act 2010. These reactive steps, in this author's view, signify not only that the UK Parliament picked up the gauntlet thrown down by the UK Supreme Court in HMT v. Ahmed, thereby, "mutually reinforcing the common quest for establishing the Rule of Law without straying beyond their constitutional boundaries" but open up the real possibility too for municipal law informing the content nature and framing of obligations under international law not the least under UN Security Council Resolutions.



From jurisprudential, doctrinal and human rights perspectives, in the final analysis, it is HMT v. Ahmed that, therefore, acquires greater moral and precedential significance for constitutionalists. The endorsement of the Rule of Law in its broadest connotation was upheld in this decision of the UK Supreme Court. This is evident in the reliance paid by the Supreme Court on the following dictum on the principle of legality lying at the heart of the relationship between Parliament and any citizen as pronounced by Lord Hoffman in Rv. Secretary of State for the Home Department ex parte Simms [1999] UKHL 33, [2000] 2AC 15:

Parliamentary sovereignty means Parliament can, if it chooses, legislate contrary to fundamental principles of human rights.

The constraints upon its exercise by Parliament are ultimately political, not legal. But the principle of legality means that Parliament must squarely confront what it is doing and accept the political cost. Fundamental rights cannot be overridden by general or ambiguous words. This is because there is too great a risk that the full implications of their unqualified meaning may have passed unnoticed in the democratic process. In the absence of express language or necessary implication to the contrary, the courts therefore presume that even the most general words were intended to be subject to the basic rights of the individual. In this way the courts of the United Kingdom, though acknowledging the sovereignty of Parliament, apply principles of constitutionality little different from those which exist in countries where the power of the legislature is expressly limited by a constitutional document.

That is a pronouncement worth noting inducing legislatures and judiciaries worldwide to contemplate striking an essential and fine balance between civil liberties on the one hand and preventing terrorism on the other.

^{8.} Supra. Justice Ahmed, Aspirational Value of Law.

The Digital Future of Alternative Dispute Resolution: The Concept of Paperless Arbitration

Justice Naima Haider



Introduction

'Paperless Arbitration' is now a buzzing word in the field of alternative dispute resolution. The 'Online Dispute Resolution' (ODR) and 'e-Arbitration' plays the main role to encourage the arbitration proceeding to go paperless. Furthermore, saving the environmental and recent Covid-19 pandemic are another 2(two) crucial issues for this new idea of paperless legal proceedings including arbitration. However, the rapid growth of information technology (IT) and implementation of IT in legal proceedings to make thing easier and quicker plays the vital role to raise the awareness among the people to ensure paperless procedure in every sector of legal proceedings including arbitration¹. On the one hand, cost constraints remain stringent and demands for speedy resolution increase, on the other hand, disputes

are becoming increasingly international and complex. Excessive duration and costs of the administration of justice has become a common complain nowadays. Arbitration has become so popular as a medium of resolving majority of complex disputes which might even include state parties and IT tools play a crucial role to reduce the excessive costs and duration which consequently facilitate the arbitration. The emergence and development of IT tools for dispute resolution has a great potential to change the conduct of arbitration proceedings, especially international commercial arbitration proceedings. The worldwide usage of internet has changed the way the business was used to be conducted earlier which makes it harder to tolerate the delay. Hence, users expect their disputes to be resolved according to the same standards as those under which they carry out the transactions giving rise to such disputes². But the arbitration is going to the opposite direction and becoming more formalistic by adopting so-called 'judicialization' or 'legalization' in international arbitration. The extension of implementing IT tools in arbitral procedure can alleviate the opposition which will safeguard the procedural guarantees and the quality of justice. The strong momentum of using IT tools in arbitral proceedings is clearly visible. For instance, major arbitral institutions like the International Chamber of Commerce, the American Arbitration Association, and the World Intellectual Property Organization Arbitration and Mediation Center have recently launched projects offering case management websites, virtual case rooms, extranets, and other IT tools allowing multiparty communications³.

Arbitration

Arbitration is nowadays most effective and vital method of resolving disputes, specially international commercial disputes, which may include states, individuals and corporations⁴. From the period of *lexmercatoria*⁵ to the present form of international contract, a lot has been changed to adopt the change in the nature of the business. the Globalisation of world trade and investment are two key players who has made this method of dispute resolution so popular. Similar to the contract, an arbitration does not exist in a legal vacuum, rather it is combination of the rules of the procedure that have agreed or adopted by the parties and the arbitral tribunal⁶. Arbitration can be defined in the following way

An arbitration is a reference to the decision of one or more persons, either with or without an umpire, of some matter or matters in differences between the parties⁷.

^{1. &}lt;a href="https://lk-k.com/wp-content/uploads/The-Use-of-Information-Technology-in-Arbitration.pdf">https://lk-k.com/wp-content/uploads/The-Use-of-Information-Technology-in-Arbitration.pdf accessed 13 June, 2022.

^{2. &}lt; https://lk-k.com/wp-content/uploads/The-Use-of-Information-Technology-in-Arbitration.pdf > accessed 13 June, 2022.

^{3. &}lt;a href="https://lk-k.com/wp-content/uploads/The-Use-of-Information-Technology-in-Arbitration.pdf">https://lk-k.com/wp-content/uploads/The-Use-of-Information-Technology-in-Arbitration.pdf accessed 14 June, 2022.

^{4.} Nigel Blackaby, Constantine Partasides QC, Alan Redfern and Martin Hunter, Redfern and Hunter on International Arbitration, (6th edn, OUP 2015) 1.

^{5.} Lord Mustill and Stuart C Boyd QC, Commercial Arbitration (2nd edn, Butterworths, 2001) 80.

 $^{6.\} Nigel\ Blackaby, Constantine\ Partasides\ QC,\ Alan\ Redfern\ and\ Martin\ Hunter,\ Redfern\ and\ Hunter\ on\ International\ Arbitration,\ (6^{th}\ edn,\ OUP\ 2015)\ 1.$

^{7.} David St. John Sutton, Judith Gill and Matthew Gearing, Russell on Arbitration (23rd edn, Sweet & Maxwell, 2009) 5.

For the parties to implement arbitration the contract should be a valid contract in the eye of law. Waller L.J. in *Soleimany v Soleimany*⁸ noted that:

There may be illegal or immoral dealings which are, from an English law perspective, incapable of being arbitrated because an agreement to arbitrate them would itself be illegal or contrary to public policy under English law⁹.

The definition of 'International Commercial Arbitration' may vary from jurisdiction to jurisdiction. The necessity of 'International Commercial Arbitration' in international commerce is inevitable and it is an indispensable catalyst for promoting world trade, which is not only in theory but also in practical utility¹⁰. The most effective method of creating a 'universal' system of law governing international arbitration has been through international convention (and, more recently, through the Model law)¹¹.

Importance & Advantage of Arbitration

The advantage of arbitration as against limitation have been variously indicated to be: (a) that arbitration allows the parties to keep private the details of the dispute; (b) the parties can choose their own rules or procedure; (c) there is greater scope for minimising acrimony; (d) the costs can be kept low; (e) the times and places of hearing can be chosen according to convenience; and (f) there will be saving of time; (g) the ability of the parties to choose their own judge permits and choice of an expert in the field who is more able to view the dispute in the commercial setting¹². However, commencing an arbitration prematurely can also have significant potential downsides, such as lose the opportunity for an amicable resolution, loss of credibility if a party is subsequently forced to change its position later in the arbitration, the presence of cost-shifting principles under many national laws and arbitration rules can create a further risk in any prematurely commenced arbitration etc¹³.

The importance of arbitration in commercial transactions is most significant. Most importantly whenever there is a cross-border or transnational transactions, the parties to that particular transactions always keep a clause for 'arbitration' nowadays. The volume of cross-border or international transactions is always going upwards and thus the use the of new electronic contracting tools for conducting the transactions, which resulted into a paperless business procedure. To complete business dealing(s) it is very important to sign document(s). However, in a paperless procedure the parties do not sign the document(s) in the conventional way, rather the they signed electronically. Here comes the issue of enforceability of electronically-signed documents, which is also a fact for arbitration agreement because the role of the signature in an arbitration agreement is of paramount importance¹⁴. The importance of signature in respect of arbitration agreement has is two folded, first, it demonstrates the willingness of the parties and second, it shows the consent of the parties to follow the rules that is set out in the arbitration agreement¹⁵.

Online Dispute Resolution

Before we discuss any further, we need to make a brief discussion about ODR. Online dispute resolution (ODR) evolved as a new method of ADR in 1990s in e-commerce space. Online arbitration is one of the forms of ODR. Online arbitration is a process by which parties may consensually submit a dispute to a non-governmental decision maker, selected by or for the parties, to render a binding, non-binding or unilaterally binding award, issuing a decision resolving a dispute in accordance with neutral procedure which includes due process in accordance with the parties' agreement or arbitration tribunal decision 16. If the online arbitration is conducted totally online then the entire arbitration process is conducted by the use of email, video conferencing and web based communications. However, if the procedure is partly online arbitration the it is a combination of online proceedings (e.g. use of fax and post for the submission of evidence, communication between the arbitrators, and deliberation of the award) as well as offline proceedings (e.g. live in-person hearings etc. 17)

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David St. John Sutton, Judith Gill and Matthew Gearing, Russell on Arbitration (23rd edn, Sweet & Maxwell, 2009) 35.

^{10.} P.C. Rao and William Sheffield, Alternative Dispute Resolution (1st edn, Universal Law Publishing, 2015) 1.

^{11.} ONigel Blackabu, Constantine Partasides QC, Alan Redfern and Martin Hunter, Redfern and Hunter on International Arbitration, (6th edn, OUP 2015) 59.

^{12.} P.C. Rao and William Sheffield, Alternative Dispute Resolution (1st edn, Universal Law Publishing, 2015) 61.

 $^{13. \ \} Steven P.\ Finizio\ and\ Duncan\ Speller, A\ Practical\ Guide\ to\ International\ Commercial\ Arbitration:\ Assessment,\ Planning\ and\ Strategy\ (1^{s}\ edn,\ South\ Planning\ Arbitration).$ Asian Edition, Sweet & Maxwell, 2014) 87.

^{14. &}lt;a href="https://www.acerislaw.com/electronic-arbitration-agreements-admissibility-and-enforceability/">https://www.acerislaw.com/electronic-arbitration-agreements-admissibility-and-enforceability/>accessed 14 June, 2022.

^{15. &}lt;a href="https://www.acerislaw.com/electronic-arbitration-agreements-admissibility-and-enforceability/">https://www.acerislaw.com/electronic-arbitration-agreements-admissibility-and-enforceability/>accessed 14 June, 2022.

 $^{16.\} Farzaneh\ Badiei, 'Online\ Arbitration\ Definition\ and\ Its\ Distinctive\ Features', < http://ceur-ws.org/Vol-684/paper8.pdf> accessed\ 15\ June,\ 2022.$

^{17.} Farzaneh Badiei, 'Online Arbitration Definition and Its Distinctive Features', http://ceur-ws.org/Vol-684/paper8.pdf>accessed 15 June, 2022.

On one hand ODR helps to resolve dispute promptly and on the other hand it is cost-effective. Basically, ODR facilitates the usage of technology in arbitration proceedings¹⁸. The usage of technology in arbitration still mimics the process of previous physical realm because the technological innovation in legal field is still very limited. However, the adoption of ODR in international arbitration gives us some hope to break the trend and to harness the benefits of technology¹⁹. It is still a challenge to be adaptable for the continuous emerging technologies (e.g. quantum, AI, distributed ledger technology and smart legal contracts)²⁰.

Advantages of Online Dispute Resolution

Advantages of Online dispute resolution includes- reducing costs and better enforcement of the solution recommended or imposed by the chosen institution.

Cost-effectiveness

The reason behind the cost-effectiveness are (a) rapid processing of disputes, (b) the lower costs involved, and (c) only partial assumption of the operating costs by the parties²¹.

(a) Speed of Dispute Resolution

Traditionally, not paralyzing the business life and the normal exchanges between commercial partners is the main advantage associated with ADR. It is known to all that regular court proceeding take months, even years, to reach a conclusion. On the other hand, ADR curtails the process of conducting disputes. When working online, the instantaneous circulation of information reduces the time still further. It is to be mentioned here that, in order to familiarize themselves and make an award certain time is needed for the arbitrators. Lack of complexity in "quality disputes" also speed up the arbitration procedure. Hence, the adoption of ODR could further increase the speed of the arbitration procedure²².

(b) Lower Costs

ODR does not require the parties or their legal representative to be present physically, rather it allows to settle the dispute remotely. The parties of an arbitration procedure can simply transfer their relevant documents and data messages to a particular site chosen by organization, that are conducting the procedure. They can do this from their workplace without moving to a separate venue and they don't have to pay any extra then their regular internet bill. This will save the cost of travelling to appear before the court, which may sometimes be located in a different country. There are some methods of ODR which reduce the necessity of human intervention and thus offer even more cost reduction (e.g. with automated settlement assistance systems, the computer calculates the value of the settlement on the basis of the claims of each party)²³.

When human intervention is necessary, whether in systems of electronic conciliation or electronic arbitration, significant cost reduction seems possible only for disputes that do not involve overly complex legal questions and that do not require an expert's presence²⁴. Disputes relating to registration of domain names is a case in point, because the panel members only have to confirm that the claimant is the owner of the trademark and that the respondent made a bad-faith registration²⁵. The same is fact in some "quality disputes", where non-performance of contract is an issue and the said non-performance has to be confirmed by the third party chosen by the parties. Establishing electronic nonperformance may not be easy to prove, specially when necessary access code is not supplied by a database owner or a software publisher. However, sometimes difficulties may arise to identify whether the fault is to contribute to the software or the operating system when the software does not work well on the client's computer.

^{18. &}lt;a href="https://www.lw.com/thoughtLeadership/protocol-online-case-management-international-arbitration">https://www.lw.com/thoughtLeadership/protocol-online-case-management-international-arbitration> accessed 15 June, 2022.

^{19. &}lt;a href="https://www.lw.com/thoughtLeadership/protocol-online-case-management-international-arbitration">https://www.lw.com/thoughtLeadership/protocol-online-case-management-international-arbitration> accessed 15 June, 2022.

^{20. &}lt;a href="https://www.lw.com/thoughtLeadership/protocol-online-case-management-international-arbitration">https://www.lw.com/thoughtLeadership/protocol-online-case-management-international-arbitration accessed 15 June, 2022.

^{21. &}lt;a href="https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf">https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf>accessed 15 June, 2022.

^{22. &}lt;a href="https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf">https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf accessed 15 June, 2022.

^{23. 5} Schultz T et al., «Online Dispute Resolution: The State of the Art and the Issues». E-com Research Project of the University of Geneva, Geneva, 2001, p. 61. Available on the Internet at: http://www.online.adr.org

^{24. &}lt;a href="https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf">https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf>accessed 15 June, 2022.

^{25. &}lt;a href="https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf">https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf>accessed 15 June, 2022.

(c) Financing of ODR

The costs of ODR are not always shared equally between the litigants, for example if the business is affiliated to a quality label programme, then electronic arbitration costs the claimant nothing, rather it is financed by the business's annual subscription to the certification programme²⁶. It is to be mentioned here that, typically arbitration costs are shared equally between the parties, unless the arbitrators make an award to pay the entire cost by the losing party. In our naked eyes, these systems may seem very favourable to the client, who benefits from free access to extra-judicial methods of dispute settlement, however, call for particular vigilance regarding the independence of the dispute resolution body, which might show a certain bias towards the business²⁷. After all, the business might be a "serial litigant", providing regular cases for the arbitral tribunal. However, this argument should not be exaggerated, because an arbitration award made contrary to the principle of independence will not receive the exequatur of the State courts in the majority of States²⁸.

In order to implement 'arbitration' to resolve the disputes regarding international contract it is crucial to adopt the growing trend of current world which is 'paperless arbitration'. In this regard United Nations Convention on the Use of Electronic Communications in International Contracts, 2005 might play the key role to harmonize the standards of paperless arbitration from proceeding to award.

United Nations Convention on the Use of Electronic Communications in International Contracts, 2005²⁹ and Paperless Arbitration

Considering the increased use of electronic communications over international commercial activities and the obstacle resulted from the uncertainty as to the legal value of such uses of electronic communications, uniform rules was really necessary to bring the harmony into the international trade law. Consequently, a new 'Convention on the Use of Electronic Communications in International Contracts (hereinafter, 'Convention'³⁰) ' has been adopted by the United Nations on 23 November, 2005 and which come to enter into force on 1 March, 2013. It was prepared by the 'United Nations Commission on International Trade Law (UNCITRAL)' since 2002-2005. Till now, it has been signed by 18 countries and 9 countries have become party to it only, so far³¹.

In the explanatory note prepared by the Secretariat of UNCITRAL for information purposes only, it has outlined the main features of the Convention stating that 'The purpose of the "Electronic Communications Convention'32 is to offer practical solutions for issues related to the use of electronic means of communication in connection with international contracts'33. Convention was never intended to provide a uniform rule for substantive contractual issues which are not specifically related to the use of electronic communication. Even though convention contains some substantive rules in order to ensure the effectiveness of electronic communications, conceiving the idea that a complete and strict separation between technology-related and substantive issues is unwanted and less desirable in the area of international trade³⁴.

Principles of Electronics Communications Convention³⁵

This Convention has been propounded upon two principles which have been specified into the fifth paragraph of the Preamble. These two principles are: technological neutrality and functional equivalence. In order to improve the efficiency of commercial activities these two principles are the core of any legislation of transactions done with the use of electronic communication³⁶.

^{26. &}lt;a href="https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf">https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf>accessed 15 June, 2022.

<https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf>accessed15 June, 2022.

^{28. &}lt;a href="https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf">https://unctad.org/system/files/official-document/edmmisc232add20_en.pdf>accessed 15 June, 2022.

^{29.} United Nations Commission on International Trade law, The United Nations Convention on the Use of Electronic Communications in International Contracts (Sales No. E.07.V.2, United Nations Publication, January 2007) https://www.uncitral.org/pdf/english/texts/electcom/06-57452_Ebook.pdf accessed 01 January, 2018.

^{30.} The convention has 25 Articles contained into four chapters, namely, Sphere of application (Articles 1 - 3), General Provisions (Articles 4 - 7), Use of electronic communications in international contracts (Articles 8 – 14) & Final provisions (Articles 15 – 24).

^{31. &}lt;a href="http://www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce/2005Convention_status.html">http://www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce/2005Convention_status.html accessed 01 January, 2018.

^{32. &#}x27;The United Nations Convention on the Use of Electronic Communications in International Contracts' has been termed as 'Electronic Communications $Convention' or \ `Convention' in \ the \ explanatory \ note \ by \ the \ UNCITRAL \ secretariat.$

^{33.} United Nations Commission on International Trade law, The United Nations Convention on the Use of Electronic Communications in International Contracts (Sales No. E.07.V.2, United Nations Publication, January 2007) 13 http://www.uncitral.org/pdf/english/texts/electcom/06-57452_Ebook.pdf accessed 01 January, 2018.

^{34.} ibid.

^{35.} United Nations Commission on International Trade law, The United Nations Convention on the Use of Electronic Communications in International Contracts (Sales No. E.O7.V.2, United Nations Publication, January 2007) http://www.uncitral.org/pdf/english/texts/electcom/06-57452_Ebook.pdf ac-

^{36. &}lt;a href="http://www.bibliotekacyfrowa.pl/Content/22563/United_Nations.pdf">http://www.bibliotekacyfrowa.pl/Content/22563/United_Nations.pdf accessed 28 January, 2018.

<u>Technological neutrality</u>

This principle has been enunciated to provide the necessary flexibility to cover all kinds of technology or the medium used for the electronic communications, so that it can easily accommodate the future developments. Such neutrality and flexibility on the use of technology is highly appreciative because specifying any particular technology of transmission or storage of information may cause possible obsolescence of the law with the advent of future innovations or development of technology. Therefore, neutral approach aims to accommodate any future development without further legislative work.

Functional Equivalence

The idea behind this principle is to provide functional equivalence between electronic and traditional documents, and also, between electronic signature and handwritten signatures. Such approach has been preferred to remove the obstacles which have been created from the legal requirements for the use of paper-based documents, prescribing particular forms, hindering the development of electronic communication means³⁷. To meet up this challenges 'functional equivalence' principle provides that after meeting the specific requirements for example writing, original, signed and record by electronic documents it will have the same degree of legal certainty like the paper-based system.

Harmonization of Paperless Arbitration in Different Jurisdictions

To harmonize the paperless arbitration two principles, i.e. 'technological neutrality' and 'functional equivalence', based on which Convention has been developed, could be very effective. However, it should be borne in mind that 'flexibility' may bring uniformity but to some level of rigidity is needed to bring the uniformity. As it has been seen above that allowing too much flexibility in making choice to the States in order to alter the application has failed to bring the intended harmonization of the application of the Convention.

Along with the above two principles, another principle could be regarded to harmonize the application of paperless arbitration and that is 'non-discrimination principle'³⁸. As 'Technological neutrality' necessarily will allow the use of the future advance technology without changing the domestic law but it may create a problem in paperless arbitration when a party to the arbitration is using advance technology which is not available to the other party. So, an agreement needs to be struck down. This hurdle can be overcome by giving the power to the arbitral tribunal in choosing the technology to be used in arbitration process after considering the position of the both parties. Hence, 'non-discrimination' principle is necessary along with the 'Technological-neutrality' principle.

The second principle, i.e. 'functional equivalence', may play a significant role in paperless arbitration because it will allow the same legal effect to both paper-based documents and electronic documents in the arbitration procedure from the proceeding stage to award enforcement stage. Because by virtue of this principle electronic documents will have the same legal effect as paper-based documents even though the State has yet not been taken any step to enunciate legal rules to give same legal effect of electronic documents as paper-based documents.

According to Thomas D. Halket, using appropriate technology in arbitration process will significantly increase speed efficiency and will decrease the cost³⁹. As large amounts documentary evidence can be analyzed by software in a way which is not possible by hand. Video conferencing will be more cost effective and comprehensive as an alternative to the traditional in-person hearing based procedures which is overly costly and it will be more convenient when in-person hearing is not possible for unavoidable circumstances. Another advantage to the paperless arbitration has been pointed out by Gillian Lemaire that the problem to accommodate large number of voluminous printouts of electronic files or photocopies will be mitigated because sometimes it becomes very difficult to arrange significant storage space by arbitration institutions or to carry such documents each and every time when the hearing took place⁴⁰.

^{37.} ibid.

^{38.} Non-discrimination' principle was adopted as one of fundamental principles along with 'technological neutrality' and 'functional equivalence' in 'UNCITRAL Model Law on Electronic Commerce (1996)'. http://www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce/1996Model.html> accessed 17 January, 2018.

^{39.} Thomas D. Halket, 'The Use of Technology in Arbitration: Ensuring the Future is Available to Both Parties' (2007) Vol 81:269 St. John's Law Review.

^{40. &}lt;a href="http://www.halketweitz.com/use_of_technology_in_arbitration.pdf">http://www.halketweitz.com/use_of_technology_in_arbitration.pdf accessed 1st February, 2018.
Gillian Lemaire, 'Paperless Arbitrations – Where Do We Stand?' (Kluwer Arbitration Blog, 19 February, 2014) accessed 21 January, 2018.

In paperless arbitration it is highly likely that one party may not be equally well equipped or experienced of technologies which could be used for electronic communications. Inevitably, parties will not be on equal footing which may result detrimental to due process of arbitration process. Hence, 'non-discrimination' principle has to apply so that parties can be brought to an equal footing in paperless arbitration process. Therefore, 'nondiscrimination' principle will ensure that both the parties in paperless arbitration are on equal footing thereby the reliance on win-win situation which is the essence of arbitration will be upheld. Therefore, determination of the technology which is to be used in the paperless arbitration have to be decided in a way after considering the availability of equipment, technology and experiences from both parties to ensure the fair and due process. Hence, to accommodate such situation wider discretion of using technology can be achieved through 'Technological neutrality' principle as it does not provide any specific or particular use of technology for electronic communication. Lastly, to give effect the same level of legality to the electronic documents as much as documents which could be ensured by incorporating the 'functional equivalence' principle in paperless arbitration. One may raise the question that once the same level of degree of legality has already been given under the Convention of electronic documents and paper documents, then, why it is necessary to incorporate it into the rules. Because if the requirements to attract the application of the Convention are not possible then to give legal certainty to the electronic documents like papers 'functional equivalence' rule is very essential. Precisely arbitration does not specifically link to any particular geographic location and the dispute is being resolved on the basis of chosen law by the parties. If the choice of law under an international agreement is not a Contracting State with a Non-Contracting State then the Convention will not be applicable. Accordingly, if they choose paperless arbitration then parties will be bound by its rules. Therefore, to achieve harmonization in paperless arbitration these three principles taking into a single unit can play an active role to harmonize the process.

Is it Possible to Achieve Harmonization through the Convention?

Aleksandra Kuczerawy pointed out that though the above two principles provides the necessary flexibility to achieve the uniform application of the Convention but the flexibility contained in the last chapter of the convention whereby necessary power has been given to the States to alter the application of the convention may create an obstacle from obtaining a harmonizing application and creating legal certainty of the Convention⁴¹. Such drawbacks turn out to be true as upon acceptance, the Russian Federation has declared that Convention will apply only when parties have agreed to regulate their international contract by it. It has also specifically stated that Convention will not be applied to such transactions for which a notarized for or State registration is required under Russian law or to transactions for the sale of those goods which has been prohibited or restricted to be transferred across the Customs Union border. Upon ratification, Singapore has also declared that electronic communications relating to any contract for the sale or other disposition of immovable property or any interest in such property the Convention will not be applied. Additionally, in respect of will, indenture, trust or power of attorney executed for any contract governed by the Convention, it will also not be applicable. And, Sri Lanka has declared upon ratification that the Convention will be refused to apply to electronic communications or transactions which are expressly excluded under Section 23 of Electronic Transactions Act No. 19 of 2006, of Sri Lanka⁴². Though the Convention is intended to permit States the flexibility to adapt the new advent developments in 'communications technology' which will be applicable to trade law into the domestic law without necessitating the wholesale removal of the paper-based requirements themselves or disturbing the legal concepts and approaches underlying those requirements, but in practice, States have refrained to adopt the whole application of the Convention intact. Thus, the uniform application of the convention to harmonize the use of electronic communication in international trade has not been fulfilled yet necessary changes should be taken involving the flexibility of States power to alter the application of the Convention.

^{41.} ibid.

^{42. &}lt;a href="http://www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce/2005Convention_status.html">http://www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce/2005Convention_status.html accessed 01 January, 2018.

Impact of the Convention on International/Cross-border Transactions

To attract the application of the Convention both the parties need not to be Contracting State to the Convention provided that the law of the contracting State is the applicable law in the international contract between a Contracting State and Non-Contracting State. The purpose of the Convention is to provide the electronic communications the same degree of legal certainty just like paper-based communications. And, to eradicate the discrimination between electronic documents and paper-based documents the Convention has ensured that the validity and enforceability of electronic documents could not be denied just because the information contains in paper-based documents. In the body of the Convention the contract has not been defined to cover arbitration agreement. However, from the reading of the explanatory notes of the Convention it has been transpired that 'contract' word should be understood in a wider sense than domestic laws. The word 'contract' should be construed as to cover 'arbitration agreements' which are in electronic form. In addition, Convention has expressly specified, through its provision contained in Article 20(1), that it applies to the 'Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 10 June, 1958)' (New York Convention). Since, the Convention applies to 'New York Convention' therefore even if the arbitral award is in the form of electronic form it could be enforced against the other party who is not Contracting State provided that non-contracting State is a signatory State to the 'New York Convention'. Again, the use of electronic communications in accordance with the Convention, it requires prior consent from the both parties or where no express consent has been given it will be inferred from the dealings of the parties. Therefore, it is pertinent to say that the parties have to give their consent for the arbitral award in the form of electronic. Or, in other cases it might be implied where 'arbitration agreement' is already in electronic form or they have agreed for paperless arbitration.

From the reading of Convention and its explanatory notes, it has also transpired that it allows parties to a contract to exchange information between them irrespective of stages of the contract, i.e. negotiation, during performance of the contract or after the contract has already been performed. Therefore, it will sufficiently facilitate the whole paperless arbitration process from proceeding to award. Because, by virtue of the Convention in paperless arbitration the statement of claim, statement of defense, expert witness in writing and other evidences in electronic form will have the same legal certainty as much as paper-based documents have under ordinary arbitration proceedings. As the convention does not provide any specific technology to be used for electronic communications thereby in the paperless arbitration it can be suitable for a party who is not well equipped with the modern technology. As the convention applies to New York Convention then there is no hurdle to give the Award in electronic form under the paperless arbitration proceedings.

Furthermore, UNCITRAL Arbitration Rules as revised in 2010 allows all the Notices from the Arbitration Tribunal or from the parties and the Notice of the Arbitration can be exchanged through e-mails. If such notices comply with the requirements for statement of claims and statement of defences respectively then such notices can be treated as statement of claims and statement of defences, therefore, no paper-based copies need to be delivered by post to the parties⁴³. Under Article 28(4) of rules Tribunal can examine the witness and expert witness through the means of telecommunication (such as video conferencing) and do not require their presence at the time of hearing.

As UNCITRAL Arbitration Rules provides rules and regulation of arbitration proceedings about using the use of electronic communications and the Convention is also providing the same legal certainty to the information contained in electronic form as much as paper-based documents, therefore, together with both are providing essential features for paperless arbitration to achieve a harmonizing standard.

^{43.} Articles 3, 4, 20 & 21 of UNCITRAL Arbitration Rules, as revised in 2010.

The Potential of Implementation of Paperless Arbitration in Bangladesh

The impact of Arbitration Act, 2001 (the Act) is clearly visible in almost all commercial contracts between the parties. Arbitration clause has become a norm to every commercial contract⁴⁴. Section 89B of the Code of Civil Procedure also provides the opportunity for arbitration. However, the usage of IT tools in Bangladesh is still very low and before Covid 19 pandemic the legal proceedings never happened on a video conference. Furthermore, the Act does not provide any option for virtual arbitration proceedings. In comparison to our neighbor countries we have not achieved much in arbitration sector, specially partly adaptation of UNCITRAL Model Law in the Act and failure to implement New York Convention properly are two main reasons for lacking in countrywide implementation of arbitration⁴⁵. Whereas, the arbitration rules and procedures of international arbitral institutions like "The International Chamber of Commerce's International Court of Arbitration" (ICC), "The International Centre for Settlement of Investment Disputes (ICSID) and "The Singapore International Arbitration Centre (SIAC)" permit the use of videoconferencing and virtual hearings in one form or another⁴⁶, our country has not taken any initiative to adopt the IT tools in legal proceedings or arbitration proceedings yet. There is no legal bar against fixing a designated digital platform like "Zoom" or "Skype" or other similar platforms available in Bangladesh as the place of arbitration⁴⁷. However, lack of skill over technology is a vital hindrance for achieving the goal of ODR in Bangladesh because taking part in video conference and conducting virtual hearing is not the same thing. Virtual arbitration hearings would, among others, ideally require a digital database of all pleadings, documents and laws filed and/or referred to by the parties, an operator controlling the video-link, a separate operator ensuring easy and efficient access to particular documents to which the counsels refer to from time to time which requires extensive training of arbitrators and counsels⁴⁸.

Conclusion

The emergence of paperless arbitration started with the implementation of ODR by different international organisations. However, very recently with the outbreak of COVID-19 virus, our world shifted to online dispute resolution mechanisms and thus the topic 'paperless arbitration' gets its new momentum. The development of IT has contributed a lot to the development of online dispute resolution systems including arbitration. The usage of new electronic contracting tools for conducting national and international business is inevitable. But the development of ODR and using paperless procedure also raises new problem which is enforceability of electronically-signed documents. In the case of the arbitration agreement, the same issue arises because the importance of the signature in an arbitration agreement cannot be overlooked. The signature not only demonstrates the parties willingness to submit to arbitration, but it also confirms the parties commitment to follow the arbitration agreements⁴⁹. In this respect the United Nations Convention on the Use of Electronic Communications in International Contracts, 2005⁵⁰ has been enacted. In order to enforce an arbitral award based on the New York Convention's⁵¹ provisions must consider the formal requirements set forth in Article II of the Convention; failure to do so may result in the nullity of the final award under Article V (1) of the Convention (a).⁵² However, Article V of the New York Convention rules [New York Convention 1958.] is the only grounds for refusing to enforce a foreign arbitral award⁵³. Although, various international organisations have already started to work on ODR and paperless arbitration procedure but implementing paperless arbitration may not be a near future for us. Nevertheless, the recent usage of video conference during Covid-19 pandemic gives us a little hope that there is still a possibility to harmonize our arbitration sector with the modern world.

^{44.} S.K. Chawla, Law of Arbitration & Conciliation (3rdedn, Eastern Law House, 2012) 259: An arbitration agreement is an agreement to submit present or future disputes to arbitration. Disputes is thus an essential element in the definition of arbitration agreement.

^{45.} Dr. P CMarkanda, Naresh Markandaand Rajesh Markanda, Law Relating to Arbitration and Conciliation (9thedn, LexisNexis, 2016) 772.

^{46. &}lt;a href="https://www.thedailystar.net/law-our-rights/news/arbitrations-bangladesh-during-covid-19-pandemic-1902163">https://www.thedailystar.net/law-our-rights/news/arbitrations-bangladesh-during-covid-19-pandemic-1902163>accessed 15 June, 2022

^{47. &}lt;a href="https://www.thedailystar.net/law-our-rights/news/arbitrations-bangladesh-during-covid-19-pandemic-1902163">https://www.thedailystar.net/law-our-rights/news/arbitrations-bangladesh-during-covid-19-pandemic-1902163>accessed 15 June, 2022

^{48. &}lt;a href="https://www.thedailystar.net/law-our-rights/news/arbitrations-bangladesh-during-covid-19-pandemic-1902163">https://www.thedailystar.net/law-our-rights/news/arbitrations-bangladesh-during-covid-19-pandemic-1902163>accessed 15 June, 2022

^{49. &}lt;a href="https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4009480">https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4009480 accessed 13 June, 2022.

^{50. &}lt;a href="https://uncitral.un.org/en/texts/ecommerce/conventions/electronic_communications">https://uncitral.un.org/en/texts/ecommerce/conventions/electronic_communications> accessed 13 June.

^{51. &}lt;a href="https://www.newyorkconvention.org/">https://www.newyorkconvention.org/ accessed 14 June, 2022.

^{53. &}lt;a href="https://www.newyorkconvention.org/">https://www.newyorkconvention.org/> accessed 15 June, 2022.

Right of bail: A Human Right

Justice Mustafa Zaman Islam



Concept of Bail:

The constitution of Bangladesh, which is the Supreme law of our land accords special recognition to rights of an individual. The solemn declaration contained in the preamble acertain that-"fundamental human rights and freedom, equity and justice." Article 27 guarantes that equality before law, Article 31 mandates that right to protection of law and to be treated in accordance with law. Article 32 guarantees protection of right to life and personal liberty. Articles 31 and 32 is the right to access to justice, as a man cannot be said to have been dealt with in accordance with law unless he has a reasonable opportunity to approach the court in vindication of his grievance. Noted that some of fundamental principles of state policy which are contained in part II of the constitution have also a direct bearing on the question. All

these provisions taken together mandate the state to carry out the obligations, towards its citizen.

Bail is a basic issue protected by the constitution. This is an important matter in preserving the personal liberty of an individual. When bail is refused, a man is deprived of his personal liberty which is valuable under our constitution, recognized by articles 31, 32, 33, 36, 37, 39, and 40. Suffice it to say, the personal liberty of an accused or convict, which is fundamental in nature and can be taken away only in accordance with procedure established by law.

Bail is derived from an old French verb bailer. Bail, though primarily a legal term has acclaimed usage both by 'law men' and 'lay men'. Bail remains an undefined term in Cr.P.C. Nowhere else has the term been statutorily defined. Conceptually, it continuous to be under stood as a right for assertion of freedom against the state imposing restraints. There is no definition of bail in the code although offences are classified as bailable and non-bailable. Since the United Nations declaration of Human rights of 1948, to which Bangladesh is a signatory one, the concept of bail has found a place within the scope of human rights. The dictionary meaning of the expression bail denotes a security for appearance of a prisoner for his release. Bail is a Mechanism used to ensure that the accused is present before the court and is available for trial.

Bail is an age-old concept where in a person accused of an offence is sought to be let free because of an under taking given by a third person. Bail or jail is the integral part of the Criminal Jurisprudence. When there had no idea about the State then, Athens had a citystate. To maintain peace, law and order in that citystate, then the idea of release is found. The first instance of plea for bail, Perhaps was when "Plato" tried to create a bond for the release "Socrates" in 399 BC. Thus the bail is a process by which a person is released from custody. In accordance with Roman law, bail only allowed in respect of less serious offences and it was in the sole discretion of the Magistrate. In the event of serious offence the accused was detained until concluded the trial.

The concept of bail has a long history and deep roots in English and American law. Under the early Engilish law, an accused could be released if his friend agreed to responsible for him and acted as surety for his appearance in the court. There existed a concept of circuit court during the medieval England. Judges used to periodically go on circuit to various parts of the country to decide cases. The terms sessions and Quarter Sessions are thus derived from the intervals at the which such courts were held. In the meanwhile, the under trials were kept in prison awaiting their trials. These prisoners were kept in very unhygienic and inhumane conditions, this was caused the spread of a lot of diseases. This agitated the under trials who were hence separated from the accused. This led to their release on their securing a surety to ensure the presence of trial, if he did not appear then his surety was held liable and was made face trial.

In the magna-carta in 1215, the first steps was taken in granting rights to citizen. It said that no man could be taken or imprisoned without being judged by his peers or the law of the land. In, 1275 the statute of the westminister was enacted which divided crimes as bailable and non bailable. It also determined which judges and officials could make decisions on bail.

During Mughal Rule, the Indian legal system is recorded to have an institution of bail with the system of releasing an arrested person on his furnishing a surety. The advent of British Rule an India saw gradual adaptation of the principles and practices known to Britishes and prevalent in a common law. The increasing control of the "East Indian Company" over Nizamat Adalat and Fouzdary Court in Mofussil facilitated gradual inroads of English Criminal Law as well as legal system of India. Criminal Court were using two well understood and well defined from bail for release of a person held in custody. There were known as "Zammanat" and "Muchleka".

What is the role of the judiciary in interpreting the existing law regarding bail. The present-day the Indian sub-continent that is India, Pakistan and Bangladesh derives its principle and working on bail from England as commonwealth countries. The law relating to bail in contained in sections 496-498 of Chapter XXXIX the Code of Criminal Procedure, 1898. Section 496 is imperative in its terms and in all bailable offences, bail is a right and not a favour. In bailable offences there is no question of discretion in granting bail, as the words of section 496 were imperative. Section 497 which deals with bail in non-bailable offences. Section 497 of the code speaks this section enjoins upon the court to exercise judicial discretion in the matter of granting bail. Bail is a matter of right if the offence is bailable, bail can only be a matter of discretion if the offence is non-bailable. It will be seen that the scope of the discretion depends upon various considerations which considering the scope of the discretion. One important thing should always be kept in mind that discretion is not to be used in an arbitrary manner. Discretion, when applied to a court of justice, means sound discretion guided by law. It must be governed by rule, not by humour; it must not be arbitrary, vague and fanciful, but legal and regular. Suffice it to say that discretion in granting bail, how to be exercised. Be that the question of bail in case of non-bailable offences, there cannot be very rigid and inflexible rules, however, the courts can for their guidance look to the following circumstances:-

- 1. The nature of the accusation;
- 2. The severity of the punishment which the conviction will entail;
- 3. The nature of the evidence in support of the accusation;
- 4. The danger of the accused person's absconding if he is released on bail;
- 5. The danger of witnesses being tampered with;
- 6. The protracted nature of the trial;
- 7. The health, age and sex of the accused;
- 8. The nature and gravity of the circumstances in which the offence is committed;
- 9. the position and status of the accused with reference to the victim and the witnesses;
- 10. the probability of accused committing more offences if released on bail, etc; and
- 11. interests of society.

Section 498 gives wide powers to the High Court Division as well as to the court of sessions to grant bail in any case even when he is charged with a non bailable offence. Jurisdiction of High Court Division and Sessions court under section 498 of the code is concurrent. Granting of bail is non-bailable offence is a concession allowed to an accused person and if presupposes that this privilege is not to be abused an any manner, whatsoever. The general policy of law is to allow bail rather than to refuse it. The law presumes an accused person to be innocent till his guilt is proved, and as an innocent person, he is entitled to every freedom to look after his own case.

So far as anticipatory or pre-arrest is concerned, this Chapter-did not contain any specific provision of anticipatory bail. The pre arrest bail or anticipatory bail was first granted in the Hedayat Ullah vs. Crown in 1949, so that a respectable person not be no implicated in a case. The question to whether the court should protect dignity of a person or not. Noted that a contrary view was, however, expressed by the High Court of Hydrabad in Muzafuruddin's case's and Lahore in Hedayet Ullah case. Though, there is a conflict of judicial opinion about the power of a court to grant anticipatory bail, the majority view is that there is no such power under the existing provision of the Code. The necessity for granting anticipatory bail arises mainly because sometimes influential persons try to implicate their rivals in false cases for the purpose of disgracing or humiliate them. Moreso, in recent development is that there is also a political rivalry. Again grant of anticipatory bail is purely a concession of law and may be granted only in exceptional cases. The court must bear in mind that granting of anticipatory bail in an exception to the general rule. In support of that contention, in the case of "Said Ali vs. state, 18 DLR(SC)393'. Recent development of anticipatory bail that the courts granting anticipatory bail had a

conflicting view regarding the issue as to whether anticipatory bail can be granted for a fixed duration of time, this controversy was later settled by our apex court. The court held that the anticipatory bail should ordinarily be continued not more than 8(eight) weeks and shall not continue after submission of charge-sheet. Our apex court considered the scope of granting anticipatory bail in several cases particularly "State vs. Zakaria Pintu and ACC vs. Mosharraf" case. It is noted that so far as India, the provision of anticipatory bail was introduced for the first time the Code of Criminal Procedure in 1973. Anticipatory bail is not defined in the Code of Criminal Procedure, it was not even a part of the earlier 1898 code. The term was first time maintained by 41st law commission report 1969 in which a need was felt to include such provision to safeguard an accused who is apprehending or has a reason to belive that he may get arrested for a non-bailable offence.

For a comparative analysis with neighboring jurisdiction, Pakistan has maintained pre-arrest bail as a purely equitable remedy and an extra-ordinary judicial intervention in the process of investigation. Bangladesh enjoys similar jurisdiction as Pakistan, while India has made it a statutory remedy by including section 438 of the Code, 1973.

It is noted that in American Jurisprudence (2d, Volume 8, page 806, Para-39) It is stated:-

"where the granting of bail lies within the discretion of the Court, the granting or denial is regulated to a large extent, by the facts and circumstances of each particular case. Since the object of the detention or imprisonment of the accused is to secure his appearance and submission to the Jurisdiction and the judgment of the Court, the primary inquiry is whether re-opening once or bond would effect that end"

Bail is basically release from restraint, more particularly release from the custody of the police. The act of arrest directly affects freedom of movement of the persons arrested by the law enforcing agency and speaking generally, an order of bail gives back to the accused that freedom on condition that he will appear to take his trial. Surety and bond are the means by which an assurance is secured from the accused that though he has been released on bail, he will present himself as the trial of offence.

All human beings are born with some unalienable rights like life, liberty and pursuit of happiness. Just as the liberty is precious to an individual, so, is the societies interest in maintain of peace, law and order. Both are equally important unless, there is peace, no real progress is possible. Societal peace lends stability and security to the polity.

The constitutional source of the right to bail in clause 12 of the Magna-carta, Article 21 of the Indian constitution. Articles 31, 32 and 33 of Constitution of Bangladesh but bail was not inserted in the constitution of Bangladesh as a fundamental right. By judicial activism only it has been implicated in Article 32 as protection of right to life and personal liberty. In many countries bail is assured as a constitutional right. The eighth amendment to the United States Constitution enjoins the right to bail as fundamental right.

Theoretically, most of the accused are unaware of their right to be released on bail and are unable to engage a lawyer who would apprise them of their right to bail under the code. As justice Bhagwati has observed-

"It is a travesty or justice that many poor accused, "little Indians are forced into long cellular servitude for little offences" because the bail procedure is beyond their meagre means and the trial do not commence, and even if they do, do they never conclude".

The theme of the entire Criminal Justice is to consider the accused innocent until proved guilty. Grant of the bail is a Rule and jail is an exception. Precisely, law encourages bail, not jail.

Footnote:-

- 1. Constitution of Bangladesh.
- 2. Law, judiciary and justice in India.
- 3. The Code of Criminal Procedure. 1973 (India)
- 4. The Code of Criminal Procedure, 1898

Mediation in the existing laws of Bangladesh¹

Justice Ahmed Sohel



Hon'ble Mr. Justice Muhammad Imman Ali, Hon'ble Judge of Appellate Division, Supreme Court of Bangladesh, Chief Trainer of this Training Programme, Distinguished Trainers, Participant Judges, Mediators and friends from the Mediation Community, Ladies and Gentlemen.

A very good afternoon to all of you.

It is indeed a great honour and privilege for me to be one of the trainer of the fifth judges training, for 'Chattogram' Division on 'Introduction to International Mediation.'

Dear participants,

The distinguished trainers have already discussed about Mediation and other related issues of Mediation and Role of Mediators in details. Due to time constraint, I will

deliver my written speech to cover more information on this subject.

Mediation is not something new in this subcontinent. Like India, Bangladesh had also for ages utilized the system called the 'Panchayat' system, whereby respected village elders assisted in resolving Community disputes. This type of traditional mediation continues to be utilized even today, in villages, which is called 'Salish'. Also, in pre-British India mediation was popular among businessmen. Impartial and respected businessmen called 'Mahajans' were requested by business association members to resolve disputes using an informal procedure, which combined both mediation and arbitration.

In a very simple term 'Mediation' is a process where a neutral and independent third person (a mediator) helps the parties in a dispute to reach their own solution. The parties usually agree who will be the mediator for their dispute, except in court-annexed mediation.

The beauty of Mediation is that, in mediation, each party has the opportunity to voice their own point of view. The mediator helps the parties to focus on the real issues of the dispute and explore options to resolve these. They do not take sides. The mediator does not impose a solution or give tactical advice. The parties have ultimate control over the outcome of mediation. The parties and not the mediator are the focal point of the mediation process. If the parties resolve their dispute at the mediation, they may make a written agreement and have orders made by the Court to finalize the case. Those orders have the same standing as orders made by a Judge, and can be enforced, if necessary.

In contrast to court proceedings, which are open to the public, the mediation process is private and confidential. Anything said or produced as evidence at a mediation session, cannot be used in later hearing, except in exceptional circumstances. It is the duty of all the parties to the mediation, to participate in good faith.

There is no strict requirement who can be a 'Mediator'. Mediators usually come from various professional backgrounds and have undergone training in mediation skills and techniques. A mediator is not an adjudicator. It is necessary that a mediator must possess

certain qualities such as highest standards of honesty and integrity in conduct and behavior, maintain neutrality, objectivity and not judgmental. He must have patience, persistence and perseverance, good communication skills, open mindedness and flexible in nature. Mediator is a guide who helps the parties to find their own solution to the dispute. In fact, a mediator works as a peacemaker and therefore, they must have the above qualities.

Now, 'Court-Annexed Mediation' is a form of Alternative Dispute Resolution, whereby cases which are brought to court for litigation, are referred to mediation for possible settlement. That means court-annexed mediation is conducted while the cases are still pending in court. This is done by a court order. The parties can ask the court to make an order for referral or the court may consider the case appropriate for referral, even if the parties do not ask, the court has the power to make a referral to mediation with or without the consent of the parties. For court-annexed mediation, there is no charge for the mediator or use of rooms. The cost of legal representation is the responsibility of each party.

Speech by Hon'ble Mr. Justice Ahmed Sohel as 'Trainer' of the Judges Training on 'Introduction to International Mediation' on the topics of 'Court-Annexed' Mediation in Bangladesh held on 6th and 7th August, 2021 organized by BIMS.

You have already heard about different stages of Mediation from **Ms. Madeline Kimei** as well as from **Mr. Kevin Brown** in details. The same procedure is followed in Court-Annexed Mediation. So, I better skip over this topic to save time.

The advantage of **court-annexed mediation** is that the judges, lawyers and litigants become participants therein, thereby giving to them a feeling that negotiated settlement is achieved by all the three actors, in the justice delivery system. When a judge refers a case for mediation, keeping overall supervision on the process, no one would feel that the system parts with the case. The Judge would feel that he refers the case to a mediator within the system. The same lawyers who appear in a case, retain their briefs and continue to represent their clients before the mediators within the same set-up. It is time bound by law, less expensive and also can get legal Aid for mediation. Its like Win-Win situation. It is confidential and discussions during mediation session are **"without prejudice"** that is, what is said by you or the other party will not be used against you as evidence, if your case proceeds to trial.

A settlement reached at a pre-litigation stage is a contract, which is binding and enforceable between the parties. In the event of failure to settle the dispute, the report of the mediator does not mention the reason for the failure. The report will only say "**not settled**". The mediator cannot be called upon to testify in any proceeding or to disclose to the court as to what transpired during the mediation.

In my opinion, mediation services under the control, guidance and supervision of the court, would have more authenticity and smooth acceptance. It would ensure the feeling that mediation is complimentary and not competitive with the court system. Therefore, Court-annexed mediation is affordable, efficient, effective, informal and confidential.

We know that judiciary of Bangladesh is over burdened with nearly 4(four) million case backlogs, and the number is mounting day by day, during this pandemic with the institution of fresh cases. Although, the wheel of disposal has been accelerated over the years, however, it could not manage to change the status quo due to a number of factors including inadequate number of judges in terms of pending cases, procedural formality and complexity and poor logistic support. In this backdrop, we can easily understand the importance of promoting mediation in our Country.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain, Judge of the Appellate Division Mr. Justice Muhammad Imman Ali and Judges of the High Court Division Mr. Justice Md. Ashraful Kamal and Mr. Justice Ahmed Sohel attending the Ceremony of Certificate Distribution to the Accredited Mediators organised by Bangladesh International Mediation Society on 23 December, 2021

Now, let us see the provisions relating to Alternative Dispute Resolution (ADR) in our legal system:

There are number of legislations in Bangladesh that have specifically provided for the provisions relating to ADR particularly mediation and arbitration in civil matters, which are: The Code of Civil Procedure, 1908; The Muslim Family Laws Ordinance, 1961; The Family Courts Ordinance, 1985; The Arbitration Act, 2001; The Artha Rin Adalat Ain, 2003; The Income Tax Ordinance, 1984; The Value Added Tax Act, 1991; The Customs Act, 1969; The Conciliation of Disputes (Municipal Areas) Board Act, 2004; The Village Courts Act, 2006; The Labour Act, 2006; The EPZ Trade Union and Industrial Relation Act, 2004; The EPZ Trade Welfare Society and Labour Industrial Relation Act, 2010 and Real Estate Development and Management Act, 2010, etc.

Discussion on all of the aforementioned statutes, is not possible within this short span of time, however, I will discuss a brief overview on the following matters on Mediation.

Mediation in Family Matters:

The Family Courts Ordinance, 1985 was promulgated with a view to expedite the resolution of cases related to family affairs rapidly and effectively. Some Family Courts have been established by the Family Courts Ordinance 1985. These courts have been following the Mediation procedure in disposing the cases both before and even after closing of evidence. The family court is supposed to fix a date for pre-trial hearing within thirty days after the filing of the written statement by the defendant. In the pre-trial hearing, the court generally ascertains the points at issue between the parties and attempt to effect a compromise or reconciliation, if that be possible, between the parties. The Court can take steps to compromise between the parties even after the closing of evidence and before pronouncing final judgment. Where the dispute is settled through compromise or reconciliation between the parties, the Court execute the decree or give decision on the basis of that compromise or reconciliation.

Mediation in Civil proceedings under the Code of Civil Procedure (CPC):

This is very important to understand the court-annexed mediation procedure in our legal system. The legislature has incorporated Mediation and Arbitration provisions into the Code of Civil Procedure, 1908 by way of amendments in Section 89A to 89E of the Code. I hope that all of you will go through this section thoroughly. The amended Act of 2003, introduces the court-annexed mediation and arbitration as integral part of the civil proceedings in Bangladesh. However, at that time it was the discretionary power of the court to explore the scope of mediation. Later on, the Act went through another amendment in 2006 that introduced the provision of mediation even at the appellate stage (Section 89C of the CPC). Thereafter, the Code was amended in 2012 that made the mediation system mandatory in civil proceeding and it was again amended in 2017 that made provision to refer the dispute or disputes to the concerned 'Legal Aid Officer' (LAO).

The Code as it stands now, after the amendment in 2012, it is mandatory, which means the court is now under an obligation to refer every dispute of civil nature to mediation. Now, every appeal deriving from original decree must be referred to mediation and comply with the same provisions as enumerated in Section 89A of CPC. Now, after the written statement has been submitted before the court, it can itself initiate mediation proceeding, or may refer the same to the concerned Legal Aid Officer appointed under Legal Aid Act, 2000 or to the engaged pleaders of the disputing parties, or to the parties themselves, or to a mediator from the mediator panel prepared by the concerned District Judge under Section 89A (10) of CPC. Unfortunately, I think no such panel has yet been prepared by the District Judges till date.

After reference of a dispute to the engaged pleaders of the disputing parties, they shall, upon consultation with their respective clients, appoint another pleader who has never worked for the parties before, or a retired judge, or a mediator from the panel of mediators, prepared by District Judge under section 89A (10), or to any other person, who, in their opinion, is competent to facilitate the mediation process as mediator. However, a person holding an office of profit in the service of the Republic shall not be eligible for appointment as mediator.

When the parties themselves decide to mediate with the help of third party neutrals, then they may, upon discussion with their respective pleaders and the mediator, mutually agree on and fix the amount of fees to be paid by each party to the mediator and the procedure to be followed for the purpose of settlement during the mediation process. The court shall intervene only when the parties, their respective pleaders and the mediator fail to settle down the aforesaid issues, in which case, the parties will be bound to abide by the decision of the court. Now, when the court shall mediate, it shall determine the procedure to be followed and shall not charge any fee for mediation. The amended section also brought into effect changes with regard to time frame relating to the start and the end of the mediation process. The section imposes written obligation upon the parties to inform the court within 10 days time starting from the date of reference to mediation by the court under section 89A(1) as to who is being appointed as the mediator, failing which the court shall itself appoint one within next 7 days.

Main advantage of this section is that, it restricts the time frame to 60 days from the day on which the Court is so informed, or a mediator is appointed by the court, as the case may be, within which the mediation process must be concluded. The court may, however, on its own motion or upon a joint request preferred by the parties extend the time period for another 30 days. So, in total 90 days+ 7 days time for passing necessary order according to Order 23 rule 3 of the CPC.

So, according to Section 89A of the CPC:

- (i) The mediation process shall be confidential and any communication made, evidence adduced, admission, statement or comment made and conversation held between the parties, their pleaders, representatives and the mediator, shall be deemed privileged and shall not be referred to and admissible in evidence in any subsequent hearing of the same suit or any other proceeding;
- (ii) the parties will always have the option to get back to the stage of formal judicial process from which the dispute has been sent for mediation
- (iii) in case of court initiated mediation the same court shall not hear and dispose the suit, if the court continues to be presided over by the same judge;
- (iv) the parties will get back the entire amount of money paid as court fees during the institution of the suit and the court will issue a certificate to that effect:
- (v) Once an agreement is reached and executed by the parties, the same is considered to be final and no party will be permitted to reopen the same either by way of a fresh suit or by way of appeal or revision.

Mediation in Artha Rin matter: We know that the Artha Rin Adalat Ain, 2003 is a special law, after the amendment in 2010, Section 22 of the amended Artha Rin Ain, incorporated the provisions of mediation almost in the same words and measures as is provided for under section 89A of the Code of Civil Procedure. Unlike the provisions in the Code, the Artha Rin Adalat Ain has created a scope for the Artha Rin Court, according to which, the Court may employ another attempt in order to effect compromise at the post trial stage before passing a final judgment or order in accordance with the provisions of Chapter 4 of the Ain. The Ain takes one step ahead of the Code in the sense that it provides for mediation provisions not only at the appellate stage, but even at the revisional stage (as per Section 44ka) and as well as at the executing stage of an Artha Rin suit (as per Section 38 of the Ain).

Village Court Act, 2006: After formation of Village Court, it shall hear both the parties and shall take initiation for conciliation between the parties. If the mediation is successful, the terms and conditions as the parties agreed upon will be incorporated in an agreement which is to be signed by both the parties and their nominated person. After that, the Village Court shall pass the order or decree accordingly.

Section 22 of Arbitration Act, 2001, provides scope of 'mediation'. at any stage of arbitration proceeding with the consent of all parties. If the parties resolve the matter amicably and notify the Tribunal, the Arbitration Tribunal shall pass an agreed 'award' / a consent award.

ADR in Criminal Litigation in Bangladesh: Mediation has not been yet widely introduced in criminal justice system. However, Section 345 of the Code of Criminal Procedure, 1898 enacts provision for compromise in the compoundable offences.

Section 345(1) provides the list of offences which can be compounded without the permission of the Court and Section 345(2) provides the list of offences which can be compounded only with the permission of the Court.

Now, I would like to refer two decisions in this regard. It is noted that in the year of 1983, in the case of Md. Joynal and others v. Md. Rustam Ali and others, reported in **36 DLR (AD) 240, former Hon'ble Chief Justice** of Bangladesh, Late Justice Badrul Haider Chowdhury, stated that-

"That they encourages settlement of dispute either by Panchayet or by Arbitration or by way of compromise and if it is a Criminal offence, the offence can be compounded within the limit of section 345 of Code of Criminal Procedure." However, unfortunately, after all these years have been elapsed but situation regarding ADR has not been changed so far.

In another recent decision in the case of Nur Mohammad Vs. State reported in **29 BLT (AD) 29, Hon'ble Mr. Justice Md. Imman Ali,** while disposing a 35 years old criminal case, delivered the landmark Judgment, where he stressed the need to solve problem through mediation in criminal matters for the compoundable offences. In his judgment, he suggested that the Judges should consider the provision of "Probation of Offenders Ordinance 1960" which is applicable both in the lower court as well as in the higher court.

Now, from my point of view, I have identified the following causes that may be the reasons for declining Mediation in Bangladesh.

Non-cooperation of the lawyers: I was connected online from yesterday, and heard what Mr. Justice Kurian Joseph, former Justice of the Supreme Court of India has said. He has given some important tips for the Judges, how to involve the lawyers in mediation, I think, his advice is very helpful. It is true that most of the lawyers are not cooperative at all in resolving dispute through mediation. I have noticed that in our country in most of the cases, the engaged lawyers by the parties remain consistently absent when the court sets a date for mediation. The reason behind such non-cooperation on part of the lawyers, I think, primarily lies with the fear of losing their expected amount of income from the case, if the same is disposed of through mediation at its very birth. So, I suggest that positive impressions should have to be increased among the lawyers regarding mediation by involving the Bangladesh Bar Council and the Bar Association as well. Also, I remember the suggestion of late Mr. Abdul Matin Khasru, MP, Ex-Law Minister, who suggested during the training session to include 'Mediation' in the L.L.B curriculum, so that the law students will be encouraged and aware about mediation from the beginning of their career. I believe, it is a good idea and will be helpful to promote mediation.

Ignorance on Mediation: A significant number of litigants have very little or no knowledge at all about mediation. Further, many are misguided and deceived by their engaged pleaders about the purpose and process of mediation.

Absence of Trained Mediators: There is an acute shortage of trained mediators in the country. Also, a significant number of judges have very little or no training at all on the functional aspects of mediation.

Lack of Mediation Centers: The purpose of Mediation is to discourage litigation and encourage the resolution of dispute out of the court room. But the problem is, there are no formal Mediation centers in the districts. We have heard from Mr. Justice Imman Ali that there are more than 40,000 Mediation centres in India. Therefore, immediate steps should have to be taken in our country to overcome this problem with the assistance of Government, particularly from the Ministry of Law, Justice & Parliamentary Affairs.

Change of Mentality: Many even have the preoccupied mental state that going for mediation, is just wastage of time and hence, do not try it at all. This type of mindset has to be changed for promoting mediation.

No specific law for Mediation like Arbitration Act 2001: We need specific law for Mediation like Arbitration Act 2001. Also, I feel that a statutory body should be incorporated for formulating rules, planning and monitoring mediation as well as for the whole ADR system, to overcome the present problem of huge backlog of cases of our iudiciary.

Now, Mediation Under Legal Aid Act 2000: The provisions relating to ADR were incorporated into the Legal Aid Act in 2013 by inserting section 21A to the Act. In order to give effect to section 21A (2) of the Legal Aid Act, the Government has promulgated a set of rules in the name of the 'Legal Aid' (Legal Advice and Alternative Dispute Resolution) Rules, 2015'. Rules 4 to 17 of the Legal Aid Rules has mentioned the ADR provisions in the form of mediation and empowers the legal aid officer, appointed under section 21A(1) to act as the mediator, in cases of disputes that come to him either in the form of application for legal advice or by reference by any competent court or tribunal. In the Legal Aid Act, it is encouraged to resolve the dispute via mediation before filing a case with the help of Government Legal Aid.

I have some suggestions for promoting mediation in connection with the Legal Aid matters. One important aspect is that usually, the LAO sits at the District Court. Many poor villagers who are willing for mediation but do not turn up considering the distance of the legal aid office. Hence, in order to ensure increased participation from the farthest corner of the village, my suggestion is that the LAO may sit at upazila on designated days by rotation. My expectation is that legal aid office will be a hub for mediation which will help to curb the backlog of cases of our judiciary.

Adequate Training for Mediators and Arbitrators should be arranged from time to time. In this respect, Bangladesh International Mediation Society (BIMS) has already started training mediators and arbitrators with the help of domestic and internationally acclaimed trainers in a limited scale and definitely doing a great job. BIMS should take steps to train the lawyers as well, then they will be encouraged to be a professional mediator, in addition to their legal practice.

Reasonable Fees: As I have mentioned earlier that, the lawyers do not want to cooperate with the court about mediation, due to fear of losing their income. At district level, there is a practice of receiving day to day fees from the clients. So, the longer a case lingers, the more are the chances of getting more fees. In this situation, I suggest a standard amount of fees for the lawyers may be set consensually in every district for mediation.

Public Awareness need to be created for promoting mediation. To that effect, special programmes on mass media like radio, TV channels and newspapers may be featured. Social media like Facebook, may also be of tremendous help. Additionally, Legal Aid Office in the District Court can also work as a cell in informing people about the benefits of mediation.

Delay in disposal of cases become common culture in our court system. It is also to be kept in mind that mediation is not going to solve all the problems of formal adjudication system as a panacea, but it is true that if properly utilized to its proper sense and spirit, it can significantly help to reduce the backlog of cases. Now, for practical reasons, Arbitration is not working properly. Let me share my real life experience regarding Arbitration. While, I was a practicing lawyer, I had the opportunity to conduct many arbitrations as a lawyer. I don't want to name the parties of the Arbitration proceeding. Most of them took around 7 to 10 years to come to an end and I heard that some of the proceedings are still pending. So, you can easily understand, what is actually happening in Arbitration in Bangladesh. However, some of the proceedings have been completed in due time. But the problem is, Arbitration award is not final, as against this, there is a provision to challenge the Arbitration award and it can go up to the Appellate Division.

Contrary to Arbitration, as you have heard that no appeal or revision lies against the compromised decree or order, which has been resolved through Mediation. So, it is like win-win situation, less formal, less expensive and time bound by law. Definitely, it will help to reduce the backlog of cases.

Therefore, considering the above advantages, I believe that in the context of Bangladesh, mediation would be the best possible option to overcome the backlog of cases. Litigation should be the last resort.

There is of course no 'one size fits all solution' and I understand that mediation should not be viewed through rose-tinted glasses. However, in most of the cases, the rate of success is high as it can bring a satisfactory solution among the parties to the dispute. It helps to reduce the pressure on judiciary.

We all are aware about the common quotes in the judicial domain, said by **William E. Gladstone** that 'Justice delayed is justice denied' also **Martin Luther King Jr. said** "Injustice anywhere is a threat to justice everywhere".

Every citizen is entitled to have access to Justice. Delayed justice even sometimes fails to give proper remedies to a winning party. We all have to keep in mind, all these quotes for our judicial system and do our job properly, to open the door of justice and ensure it for all.

Our economy is developing very rapidly, bringing its businesses into close contact with the outside world. Many foreign companies are now investing in Bangladesh. Therefore, effective steps towards alternative dispute resolution is needed to make Bangladesh an investment oriented country. I believe that the Bangladesh Government will continue to strongly support the use of mediation and arbitration and encourage efforts to

develop the field of mediation through research, studies and training and will help to create a better business friendly environment by establishing an 'International Mediation Academy' in Bangladesh. Also, we need to think about to be a signatory of 'Singapore Convention' for solving cross border International disputes as rightly suggested by Mr. Justice Imman Ali and Justice Gita Mittal, former Hon'ble Chief Justice, High Court of Jammu & Kashmir, while delivering their speech.

Mediation is currently seeing a success rate of average 80% throughout the Western world. I believe, you all are responsible judicial officers, will try to promote mediation by following the circular and guidelines on mediation issued from the Supreme Court of Bangladesh. Also, it is necessary, to ensure the independence of judiciary, transparency of prosecution and most importantly, corruption should have to be removed from Judiciary to overcome the backlog of cases.

Regarding ADR, our former Late lamented Hon'ble Chief Justice of Bangladesh, Justice Mustafa Kamal, said "ADR is a non-formal settlement of legal and judicial disputes as a means of disposing of cases quickly and inexpensively. It is not a panacea for all evils but an alternative route to a speedier and less expensive mode of settlement of disputes. It is voluntary and cooperative way, out of impasses".

Further, I am also tempted to quote **Robert A. Baruch Bush:** Written in his book 'Mediation and Adjudication, Dispute Resolution and Ideology: An Imaginary Conversation' that "Mediation is less traumatic, more humane, and far more capable of healing and reconciliation than adjudication."

Now, we are celebrating the 50 years of our independence, no one can deny Bangladesh has made tremendous progress in various social and economic indicators. The country saw steady increases in its GDP and per Capita income, life expectancy has risen as well and other indicators too give us the impression that the country is on an upward trajectory. Therefore, it is a high time to successfully introduce ADR especially mediation in Bangladesh, to reduce the huge backlog of cases.

Dear participants,

You have already heard that Ms. Mercy Okiro, had an accident who supposed to deliver her speech on 'impasse in Mediation'. I pray for her early recovery. However, you have already heard from Ms. Priyanka Chakraborty about how to overcome 'impasse in Mediation' and discussion on the book written by Roger Fisher & William Ury 'Getting to yes' in details. Also, next, you will hear from Mr. Veeraraghavan Inbavijayan on Model Law. I hope, all of you will try to follow the techniques of Mediation that you have learnt today.

Now, before I wrap up, considering the advantages of mediation in the legal field, it has been rightly said by Joseph Grynbaum "An ounce of mediation is worth a pound of arbitration and a ton of litigation". With this remark, I conclude my speech and express my sincere thanks to the guests from overseas for their valuable speeches and heartfelt gratitude to the organizers of this training programme, especially, Mr. S.N. Goswami, Chairman of BIMS, who is the torchbearer of Mediation, trying his level best to promote mediation in Bangladesh. His law Journal, 'Bangladesh Law Times', has been published since 1993, is also, by publishing different Articles on Mediation, doing a great job in this respect.

I wish this training programme a resounding success.

No doubt, due to pandemic, we are passing time like never before for many of us. I hope and pray that COVID-19 pandemic will come to an end soon and all of us be safe during this period.

Once again, thank you all, for listening to me with patience.

Cross Examination of a Witness: A Challenging Job for a Lawyer

Justice Md. Zakir Hossain



The law of evidence occupies a unique position in any legal system. The assertion of substantive rights can only be established by evidences which are relevant and admissible. The law of evidence inspires the whole practice of law in every field capable of leading to litigation. Cases are probably won and lost more often for reasons of evidential acumen, or the lack of it, than for reasons of any other kind. Evidence is not only the fiber and fabric of the legal system but also its very soul. Therefore, the law of evidence plays a pivotal role in the effective functioning of judicial system. The Evidence Act, 1872, in short 'the Act, 1872', provides only the stages in the examination of a witness, namely examination-in-chief, cross-examination, re-examination and further cross-examination. This is a routine sequence in the examination of a witness.

The mode and manner of examination of a witness in court has been laid down in the Act, 1872. Examination-in-Chief has been defined in section 137 and Order of examinations has been described in section 138 of the Act, 1872. When a witness is required to prove a fact or fact in issue, he or she should be examined first on solemn affirmation. According to Black's Law Dictionary, the first questioning of a witness in a trial or other proceeding, conducted by the party who called the witness to testify is termed as examination-in-chief or direct examination. The main purpose of examination-in-chief is to bring out or wrest and wring the facts or the case of the party on whose behalf or request he or she is adducing evidence.

During examination-in-chief the examiner or advocate must ask questions to the witness to extort and extract from the witness all the relevant facts which are material for his client's case. There is no straight jacket formula how the witness is to be handled and it varies as to nature of the witnesses. There may be timid witness, talkative witness, honest witness and each should be examined in a different manner. The advocate at the time of questioning must be calm and quiet and should not rebuke and reprimand the witness in order to get his party's case. Every witness or witnesses must be permitted to narrate the facts of the case or incident in questions in their own style. Ordinarily a witness cannot be expected to recall accurately the sequence of events which take place in rapid succession or in a short time span rather his memory consists only of the main purport of the conversation.

Examination-in-chief must relate to relevant facts only and no leading question shall be asked to the witness during such examination. A party is not permitted to impeach the credit of his own witness but it may be done if and when the witness turns hostile and that too with consent of the Court under section 155 with the aid of section 154 of the Act, 1872.

Great jurist David Paul Brown enumerated various rules for examination-in-chief. Amongst others Paul Brown's golden rules are-

- Never call a witness whom your adversary will be compelled to call;
- Never ask a question without an object;
- Be careful not to put your question in such a shape that, if opposed for informality, you cannot sustain it;
- Speak to your witness clearly and distinctly as if you were awake and engaged in a matter of interest and make him also to speak distinctly and to your question;
- Modulate your voice as circumstances may direct;
- Never begin before you are ready and always finish when you have done:
- Question must not be asked for question's sake but for an answer.

Following the mentioned golden rules or individual tactics of an advocate when the case of a party is brought out before the court, then cross-examination comes into play.

Cross-examination is a great art. It cannot be acquired over night or a day. It requires constant concentrated laborious practice. John Henry Wigmore (1863-1943) was an American lawyer and legal scholar known for his expertise in the law of evidence and his scholarship is best remembered for his Treatise on the Anglo-American System of Evidence in Trials at Common Law (1904), often simply called Wigmore on Evidence, and a graphical analysis method known as a Wigmore chart. According to him, "Cross-Examination is the greatest legal engine ever invented for the discovery of truth. You can do anything with a bayonet except sit on it. A lawyer can do anything with cross-examination if he is skillful enough not to impale his own cause upon it."

The greatest significance of cross-examination is that the statement of a witness where not tested by crossexamination cannot be admissible in evidence against a party which has not waived its right for such crossexamination. The objects of cross examination are to impeach the accuracy, credibility and in general the veracity of evidence given in chief, to sift the facts, already stated by the witness, to detect and expose discrepancies or to elicit suppressed facts which will support the cross examining party. Therefore, it is said to find out the truth or falsity in a case where the evidence play vital role.

There is no hidebound rule, which a lawyer should follow in cross-examining a witness in the court. No doubt, a skillful cross-examination is the highest attainment of an advocate's art. Therefore, it is very difficult to frame any rules governing it. The techniques can be acquainted only by natural instinct or by long practice. The Act, 1872 has delineated some rules or guidance in chapter X as to cross-examination of the witness. Section 137 of the 1872 Act provides the definition of cross-examination as the Examination of the witness by the adverse party. Section 138 specifies that cross-examination must relate to relevant facts but the same need not be confined to the facts to which the witness testified in his examination-in-chief.

A person summoned to produce a document does not become a witness by the mere fact that he produces it, and he can't be cross examined until and unless he is called as a witness. Witness to character may be cross-examined. As per section, 143 of the Act, 1872 leading questions can be asked. Section 145 of the Act provides that a witness may be cross-examined as to his previous statements made by him, e.g. by way of cross examination statement made under section 161 of Code of Criminal Procedure can be contradicted. Sections 146 to 150 have given ample power to the cross examiner to help him in finding out the truth. Unreasonable, vexatious and scandalous question cannot be made in cross examination. A witness may be asked questions-

- to test his veracity
- to discover who is he and what is his position in life
- to shake his credit by injuring character although his answer might incriminate him or expose him to penalty or forfeiture

Cross Examination is undoubtedly the advocate's hardest and most important task. Its aims are essentially threefold:

- To break down the evidence in chief or, where this is not possible, to weaken its impact. To get a witness to admit that he was lying or at least mistaken is extremely difficult and cannot be counted on. One particularly effective way of breaking down the evidence in chief is by leading the lying witness along so that he is hoist with his own petard.
- To bring new evidence to light which contradicts the evidence in chief or at least calls it into question
- To destroy the witness's credibility. This may be done even with an expert witness. For example, I once opened my cross-examination of a medical expert with the question: 'What is a phylogenic granuloma?' He did not know the answer and tried to fudge it, which did not really help him.

Evidence which is not challenged in cross-examination is taken to be accepted by the other side. So it is necessary to cross-examine a witness on all material facts which are disputed. But this does not mean going through every little detail of the evidence in chief and trying to trip the witness up on some small particular. In cross-examining a witness the advocate must put to him his own party's case in testimony. Hence, the use of a barrage of sentences starting 'I put it to you...' Instead of putting your case to the witness to agree with it. Likewise, instead of challenging evidence in a purely formal manner it is preferable to undermine it more subtly.

Questions in cross-examination must either be relevant to the issues in hand or must tend to impeach challenge or the witness's credit. In the former case the ordinary rules of the admissibility of evidence apply. But, as far as cross-examination to credit (i.e. credibility) is concerned, the general rule is that a witness's answer is final and no evidence may be led to contradict him, convictions or a general reputation for untruthfulness. In order to conduct cross-examination the lawyer must study the relevant record very carefully and take Triggers Note of the material facts, a lawyer who is well acquainted with the entire facts of the case, he could be able to fight his adversary with confidence.

Witnesses are eyes and ears of Justice. The instrument of evidence is the medium through which facts, either disputed or required to be proved, are effectively conveyed to the Judiciary in Civil as well as Criminal matters. A witness is the backbone of the trial whether it is a Civil or Criminal or any other trial. It is the witness who builds the case of the contesting parties by deposing before the Court. The testimony given by the witnesses enables the Court to decide the merit of facts and circumstances of the case. Thus, the truthfulness of the testimony of witness becomes the cornerstone of Justice and hence the witness is made to offer statement under oath.

Moreover, the lawyer has to be well-conversant as to the legal status of witnesses. Witnesses may be classified into eye witness/ocular witness; got-up witness; hostile witness; inimical witness; injured or victim witness; material witness; partisan witness; police witness; potential witness; stock witness; trap witness; convict witness; child witness; chance witness; casual witness; accomplice witness; procured witness; expert witness; forensic witness; Court witness; dumb witness; attesting witness and formal witness, etc. Keeping the status of the witnesses in mind, the Lawyer has to put question challenging the statement of the witnesses made in examination in chief or re-examination.

It is found that some lawyers unnecessarily put omnibus questions to the witness at cross-examination that does not help his party but the same favors the adverse party. Almost, all witnesses get more confidence the longer a lawyer cross-examined them. A lawyer should stop cross-examination as soon as he obtains what he wants. As for example a witness in his chief has told that he, was present at the place of occurrence but in his cross, at one stage he has said that at the time of committing offence by accused Karim, he was gossiping with his friend in a tea stall of a market which is half a mile away from place of occurrence. In the above circumstances, it is not required to put him further question. The rule is not absolute rather flexible. However, a lawyer should follow the same as nearly as possible.

The question which suggests answer is called leading question. Generally leading question must not, if objected to by the adverse party, be asked in examination-in- chief or in a re-examination, except with the permission of the court. But the court shall permit leading question as to matters which are introductory or undisputed, or which have in its opinion, been sufficiently proved. By using leading question in cross it is possible for a lawyer to control the witness.

Keith Evanes emphasized for combination of both leading and non-leading questions which can be put thus: "When you are cross-examining, there is little risk that leading question will devalue the evidence, and they do the witness on a light rein. When you have some experience, on the other hand, move cautiously in the direction of using non-leading question as much as you can. It is always better for the evidence to come out of the witness's own mouth. The ideal cross-examination is a combination of both leading and non-leading question". Formula of the effective Cross-Examination is as follows:

Leading Questions + Non Leading Questions + Suggestions; Non-Leading Questions + Leading Questions + Suggestions; **Effective Cross-Examination** Suggestions + Non-Leading Questions + Leading Questions.

A lawyer should not forget to use permutation combination theory at Cross Examination. Keith Evanc's views, "At the time of cross-examination, a lawyer should feel that he hit a bump. He should be cheerful. He should not display his anxieties for other worldly affairs. If a lawyer signals, his distress he makes the matter ten times worse. In the face of dreadful answer, he should stay calm, look relaxed and move on".

It is found from experience that some lawyers jump back in alarm when the witness answers favoring the party cross examining him. It is not a good practice. In the above circumstances, he should stay dead calm and act relaxed. If he jumps, the witness and the opponent lawyer may be awareand the lawyer may then pray to the court for re-examination or declaring the witness as hostile under section 154 of the Act 1872.

Lawyer should not ask the question at cross-examination, which he does not know the answer. If he does not strictly follow the rule, his party may suffer a lot. 'Why' and 'How' can very easily be used in examination in chief." But it should not be made in cross. If a lawyer asks question by using Why' and 'How' he will lose his control over the witness. Because asking such questions with 'why' and 'how' may result in losing control over the witness as the witness can say, anything. Don't let the witness repeat the evidence what he' gave in chief. If it is done, it will take lot of time, and court will be bored and witness becomes confident.

A lawyer should not get into an argument with the witness. Tactfully he is to refrain from doing the same. Lawyer is to maintain his professional jobs. Argument with the witness may make a mess in the entire efforts 'of the lawyer. In examination in-chief Lawyer should put questions to corroborate the earlier statement of the witness and on the other hand during cross examination Lawyer should put questions in order to contradict the previous statement of the witness. To become a good trial lawyer one needs courage and confidence that comes from thorough study of facts and law of the particular case. Brilliant Cross Examination of a witness and techniques to cross expert witness can be learnt by watching cross-examination in the court room conducted by lawyer having long standing practice in legal profession.

For cross-examination of Doctor, a lawyer needs to acquire some knowledge on Medical jurisprudence i.e. forensic medicine. To cross Hand Writing Expert, Finger Print Expert, Ballistic Expert, Vie sera Expert, Narcotic Expert etc. a lawyer should acquire considerable knowledge on the subject apart from watching cross in the Court house. For cross examination of a survey knowing Advocate commissioner and a Surveyor a lawyer has to consult at least the laws providing for and regulating survey.

Cross-examination is the most effective weapon provided by law which compels a witness, generally over enthusiastic to support the party calling him and biased against the opposite party to state the truth before the Court and exposed falsehood of a witness who is a fabricator. It is very difficult to handle this weapon. It is a double-edged sword.

To become a good trial lawyer one must be well conversant as to General Rules of Evidence as found within the four corners of our more than century old the Act, 1872 as well as Special Rules of Evidence sporadically exist in various legislations. For example we may refer to the provision as mentioned in chapter XLI of the Code of Criminal Procedure under the heading Special Rules of Evidence covering sections 509 to 512. We may cite the Bankers' Books Evidence Act, 1891 presently Banker Bahi Shakkho Ain, 2021(ব্যাংকার বহি সাক্ষ্য আইন, ২০২১), the Commercial Documents Evidence Act, 1939 as Special Rules of Evidence. Apart from the same, in our Family Court Ordinance, 1985, Speedy Tribunal Act, Nari O Shishu Nirjaton Daman Ain and other special laws we will find Special Rules of Evidence. Section 144A of the State Acquisition and Tenancy Act, 1950 provide the evidentiary value of RS Record as CS Record mentioned in section 103 of the repealed BT Act, 1885.

In fine, we can say that Cross-examination is an acid test of truthfulness of the statements on oath. The object of Cross-Examination is to destroy or weaken the evidentiary value of witness of his adversary and to elicit facts in the favour of cross-examining lawyer's client from the mouth of the witness of the adversary party. So, it requires the natural gifts of ingenuity: clearness of perception; power to read men's mind intuitively to appreciate their motives, instinct to discover weak points in the witness under examination. The natural talent, however, is not sufficient by itself. It has to be developed by masterful knowledge of the subject matter itself and by carefully studying the principles relating to cross-examination as laid down in standard works on cross-examination and law of evidence.

Lord Chief Justice Cockburn rightly held that the arms which an advocate wields are to be the arms of the warrior and not of the assassin. It is his duty to strive to accomplish the interests of his clients per fas, but not per nefas.

Before parting with, I must say that this article may not make a lawyer self-confident, dynamic and learned on particular subject but surely it will shed light upon them and storm their brain for further thinking of the matter deeply and patiently.

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Major Activities of the Supreme Court of Bangladesh in 2021

The Supreme Court of Bangladesh is the apex Court of law in Bangladesh Judiciary. It is mandated by the Constitution as the highest judicial authority and guardian of the Constitution to protect the rights of the people and to interpret and defend the Constitution of the Republic. The High Court Division of the Supreme Court is also entrusted with the authority to exercise the superintendence and control over all courts and tribunals subordinate to it.

During the year the Supreme Court of Bangladesh launched a number of new initiatives to strengthen the capacity of the Judges of the subordinate judiciary, reduce the case backlog and improve justice delivery system. The support staff of the Court have been provided with the training to increase their capacity. Apart from day to day judicial work, the Supreme Court observed and celebrated different national programmes.

1. Virtual Training organized by the National Judicial Academy of India for Training of the Judges

The Supreme Court of Bangladesh, in collaboration with Government of Bangladesh and India has signed a Memorandum of Understanding with the National Judicial Academy of India (NJA) situated at Bhopal, Madhya Pradesh to train the Judges of the subordinate Judiciary of Bangladesh. The training not only pertained to legal skills and principles but also to Court administration and managerial skills, the use of IT and case-management tools. The COVID-19 pandamic disrupted the physical training in 2021. Therefore, two batches of Judicial Officers comprising 70 Judges in each batch participated in the virtual training programme through virtual platform organized by the NJA, Bhopal.

2. Distribution of Computers and Laptops among the Judges of the Subordinate Judiciary

The government is committed to building a digital Bangladesh where all services to the people will be delivered digitally as much as possible. In 2021 desktop computers and laptopts were distributed to the Honourable Judges of the High Court Division. The Supreme Court of Bangladesh procured and distributed a number of Laptops and Computers of high configuration among the Judges of the subordinate Courts. As a result of this initiative of providing Laptops and high configured desktop computers to the judges of the subordinate Courts, the performance of the judges and the rate of speedy disposal of cases have increased to a significant extent.

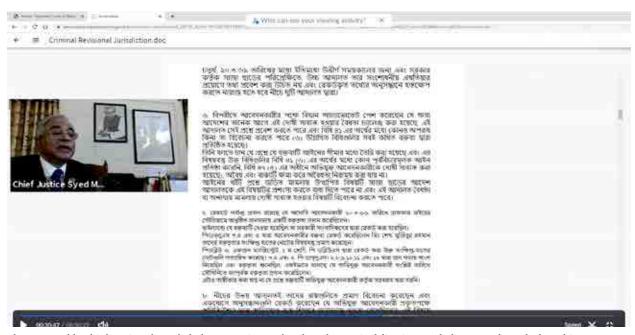
3. Launching of Translation Software 'Amar Vasha'

The Supreme Court of Bangladesh launched a translation software named 'Amar Vasha' on 18 February, 2021. The software uses artificial intelligence to translate orders and judgments of the Supreme Court from English to Bangla. The software was developed in collaboration with 'EkStep' Foundation of India which also created software in India titled 'Anuvaad'.



The Honourable Judges of the Appellate Division and High Court Division virtually attending in the launching ceremony of "Amar Vasha" software on 18 February, 2021

At the launching ceremony, the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain delivered the concluding the speech. The Honourable Minister of the Ministry of Law, Justice and Parliamentary Affairs Mr. Anisul Huq MP delivered a speech. Among others, Md Golam Sarwar, Secretary, Law and Justice Division, and H.E. Mr. Vikram K Doraiswami, High Commissioner of India to Bangladesh delivered their speeches. The Honourable Judges of the Appellate Division and High Division of the Supreme Court of Bangladesh attended the event.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain delivering concluding remarks at the launching ceremony of "Amar Vasha" software on 18 February, 2021

4. Observing "Shaheed Dibos" and International Mother Language Day



The Honourable Judges of the Supreme Court led by the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain took part in "Provat Fery" on 21 February, 2021

The Supreme Court of Bangladesh observed "Shaheed Dibos" and International Mother Language Day on 21 February, 2021. Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain along with the Honourable Judges of both the divisions paid homage to the Language Martyrs by placing floral wreaths in the morning at the Central Shaheed Minar.



The Honourable Judges of the Supreme Court led by the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain placing wreaths at the Central Shaheed Minar on 21 February, 2021

5. Observing National Mourning Day

The Supreme Court of Bangladesh observed National Mourning Day on 15 August, 2021, marking the 46th anniversary of the martyrdom of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain paid homage to the Father of the Nation by placing wreaths in the morning at the portrait of Bangabandhu at the Bangabandhu Memorial Museum in Dhanmondi. A Munajat was offered seeking eternal peace for the departed souls of the 15 August, 1975 carnage. The Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Bangladesh Supreme Court Judges Committee (Jatir Pita Bangabandhu Sheikh Mujibur Rahman er Jonmoshoto Barsiki Udjapon Bisoyok Bangladesh Supreme Court Judges Committee) on 15 August, 2021 paid homage to the Father of the Nation by placing floral wreaths at the portrait of Bangabandhu in the Supreme Court Judges' Lounge marking the National Mourning Day. The Supreme Court of Bangladesh organized a virtual discussion programme marking the 46th martyrdom anniversary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman on 15 August, 2021. The Honourable Judges of the Appellate Division and High Court Division participated in the virtual discussion programme.



 $The \ Honourable \ Judges \ of the \ Supreme \ Court \ led \ by \ the \ Honourable \ Chief \ Justice \ of \ Bangladesh \ Mr. \ Justice \ Syed \ Mahmud \ Hossain \ holding$ Munajat on 15 August, 2021



The Honourable Chief Justice of Bangladesh along with the other Honourable Judges of the Supreme Court attending a virtual discussion programme marking the 46th martyrdom anniversary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman on 15 August, 2021

6. Digital Archiving and E-filing

Digital archiving and e-filing software have been launched in the Supreme Court of Bangladesh on 1 December, 2021. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain graced the occasion as Chief Guest and inaugurated the digital archiving and e-filing system. The Honourable Minister of the Ministry of Law, Justice and Parliamentary Affairs Mr. Anisul Huq MP delivered speech as the Special Guest. The Honourable State Minister for Information and Communication Technology Mr. Junaid Ahmed Palak presided over the function.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain at the inaugural ceremony of the digital archiving and e-filing system at the Supreme Court of Bangladesh on 01 December, 2021

7. Divisional Consultation Meeting on Children Act, 2013 and its effective implementation

The Supreme Court Special Committee for Child Rights organized 6 Divisional Consultation Meetings on the Children Act, 2013 and its effective implementation. The aim of these consultation meetings was to find out the ways of effective implementation of the Children Act, 2013. UNICEF Bangladesh supported the Committee to organize these consultation meetings. These events were successfully attained the desired outcome. Various issues regarding implementation of the Children Act 2013 at the field level were discussed by the several stakeholders including the Judges of the Children Court, Child Affairs Police Officers and Probation Officers.



Honourable Judge of the Appellate Division Mr. Justice Muhammad Imman Ali, Madam Justice Naima Haider and Mr. Justice Md. Nazrul Islam Talukder at the Divisional Consultation Meeting on Effective Implementation of the Children Act, 2013 with the learned Judges of the Children Courts

8. Training on Computer, Information and Communication Technology

A number of training programmes on Computer, Information and Communication Technology were organised by the Supreme Court Administration throughout the year. The target groups for the training were the staffs of the Supreme Court at various levels. The training aimed to improve the computer skills of the employees of the Supreme Court who work in the Benches and the Sections of the Supreme Court. The successful completion of the training resulted in enhanced performance of the staff of the Supreme Court.

9. Observing Martyred Intellectuals Day

Supreme Court of Bangladesh observed Martyred Intellectuals Day on 14 December, 2021, commemorating the intellectuals murdered by Pakistani forces during the Bangladesh Liberation War in 1971. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain paid homage to them in Mirpur Martyred Intellectuals' Graveyard.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain placing floral wreath at the Mirpur Martyred Intellectuals' Graveyard on 14 December, 2021



Wreath placed by the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain at the Mirpur Martyred Intellectuals' Graveyard on 14 December, 2021

10. Observing the 'Supreme Court Day 2021'

The Supreme Court of Bangladesh on 18 December, 2021 observed the Supreme Court Day for the fifth time with pomp, Ceremoney and Jubilation. The Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid graced the occasion as the Chief Guest by his virtual presence. He delivered speech from Banghabhaban which was telecasted to the Supreme Court Judges' Sports Complex. The Honourable Speaker of National Parliament Dr. Shirin Sharmin Chaudhury was present as Special Guest. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain presided over the session. The Honourable Minister of the Ministry of Law, Justice and Parliamentary Affairs, Mr. Anisul Huq MP delivered speech as the Special Guest.



A one-minute standing silence was observed during the event in memory of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman and other martyrs

11. Inauguration of Muktijuddho Corner

On 30 December, 2021 the unique 'Muktijuddho Corner' was inaugurated at the Main Building of the Supreme Court of Bangladesh. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain inaugurated the 'Muktijuddho Corner'. The Honourable Judges of the both the Divisions of the Supreme Court attended the event. Through this corner visitors will be able to get a comprehensive idea about Bangabandhu Sheikh Mujibur Rahman and the glorious history of the birth of Bangladesh and the Liberation War of 1971.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain exploring the 'Muktijuddho Corner" along with the other Honourable Judges of the Supreme Court after the Corner's inauguration

12. Various Activities of the Judges' Welfare Foundation

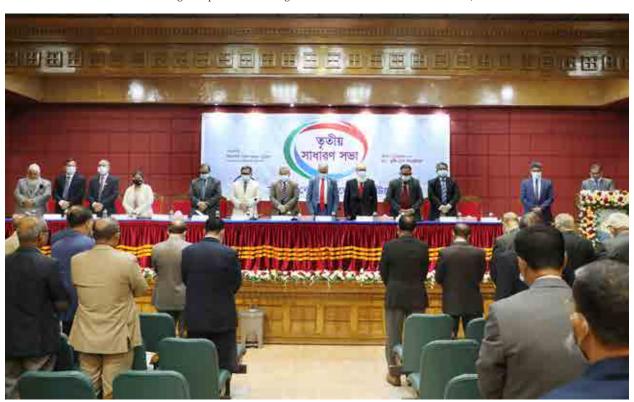
The Supreme Court Judges' Welfare Foundation organized and undertook a number of events, including cultural programmes, family day programmes, sports events for the Judges of Supreme Court of Bangladesh in 2021. There are works and adornments done in Judge's corner alongside Supreme Court Sports Complex to make it a complete recreation centre for the Judges in their leisure.



The Supreme Court Judges' Welfare Foundation at its Third General Meeting on 11 December, 2021



 $Attendees \ at the \ Third \ General \ Meeting \ of \ Supreme \ Court \ Judges' \ Welfare \ Foundation \ on \ 11 \ December, 2021$



A view of the Supreme Court Judges' Welfare Foundation at its Third General Meeting on 11 December, 2021



The observance of the Seventh Founding Anniversary of the Supreme Court Judges' Corner and the Family Day on 11 November, 2021

13. Saraswati Puja 2021

The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain along with other Honourable Judges of the Supreme Court attended an occasion of observing Saraswati Puja, 2021.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain receiving floral welcome in the occasion of Saraswati Puja on 16 February, 2021

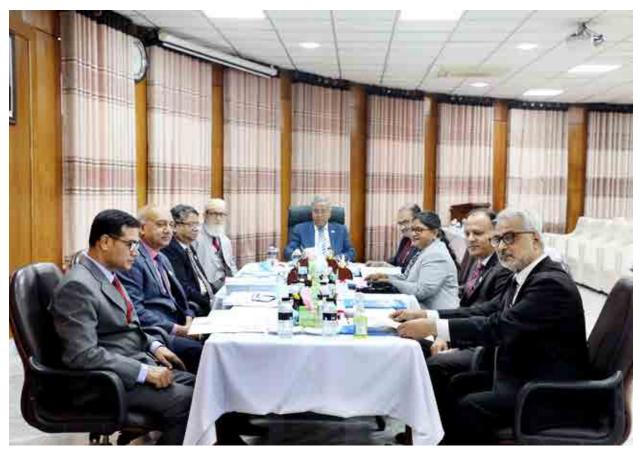
Observing "Mujib Borsho"

The history of Bangladesh is long and eventful and is inextricably linked to a man who was born on 17 March, 1920 at Tungipara, a village in Gopalgani District in the province of Bengal in British India. He is the Father of the Nation Bangabandhu Sheikh Mujibur Rahman. The achievement of freedom for the people of Bangladesh was his lifelong work. The country has been celebrating the Father of the Nation Bangabandhu Sheikh Mujibur Rahman's Birth Centenary since 2020.

The Supreme Court of Bangladesh has been observing the Birth centenary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman through various programmes.

Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Bangladesh **Supreme Court Judges Committee:**

A Committee has been constituted namely the "Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Bangladesh Supreme Court Judges Committee (Jatir Pita Bangabandhu Sheikh Mujibur Rahman er Jonmoshoto Barsiki Udjapon Bisoyok Bangladesh Supreme Court Judges Committee)". The Committee headed by the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain and other distinguished Members are Mr. Justice Md. Nuruzzaman, Appellate Division; Mr. Justice Obaidul Hassan, Appellate Division; Mr. Justice M. Enayetur Rahim, High Court Division; Mr. Justice Krishna Debnath, High Court Division; Mr. Justice Jahangir Hossain, High Court Division; Mr. Justice J B M Hassan, High Court Division; Mr. Justice Md. Khasruzzaman High Court Division; and Mr. Justice Md Shahinur Islam, High Court Division and Chairman, International Crimes Tribunal No.1.



Members of the "Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Bangladesh Supreme Court Judges Committee" are seen attending a Committee meeting

Visit to the Old Central Jail at Nazimuddin Road, Dhaka:

As a part of the Birth Centenary Celebration of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman, the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain, Chairman, "Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Bangladesh Supreme Court Judges Committee", along with the other Honourable members of the Committee, visited the Old Central Jail situated at Najimuddin Road, Dhaka on 13 February, 2021.



The Honourable Chairman and the Honourable Members of the Committee paying homage to the Father of the Nation Bangabandhu Sheikh Mujibur Rahman at the historic Old Central Jail, Nazimuddin Road, Dhaka



The Honourable Chairman and the Honourable Members of the Committee visited the prison cell where Father of the Nation Bangabandhu Sheikh Mujibur Rahman was detained

During their visit to this historically significant jail, the Honourable Chairman and the Honourable members of the Committee paid homage to the Father of the Nation by standing before the sculpture of Bangabandhu in solemn silence. After paying homage, a Munajat was offered seeking eternal peace of the departed soul of Bangabandhu. The Honourable Chairman and the Honourable Members of the Committee also visited the prison cell where Bangabandhu was confined.



The Honourable Chairman and the Honourable Members of the Committee visiting the cell at the historic Old Central Jail, Nazimuddin Road, Dhaka where 4 leaders were killed



The Honourable Chairman and the Honourable Members of the Committee holding Munajat at the historic Old Central Jail, Nazimuddin Road, Dhaka



Special Full Court Meeting to commemorate the memory of Bangabandhu:

The Honourable Judges of the Appellate Division and the High Court Division on 21 June, 2021 virtually attended the Special Full Court Meeting to commemorate the memory of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman

As a part of the celebration of the Birth Centenary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman, a Special Full Court Meeting was held through video-conferencing on 21 June, 2021 at 3 pm to pay tribute to and to honour the memory of Bangabandhu. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain presided over the Full Court Meeting. At the Meeting the Honourable Judges of both the Appellate Division and High Court Division reminisced about Bangabandhu and also emphasised how "Mujib Borsho" or "Mujib Year" can be made more successful by increasing the number of disposal of cases. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain expressed his firm commitment to bring real success to the "Mujib Borsho" or "Mujib Year" by increasing the number of disposal of cases in full court meeting.

Observance of the National Mourning Day:

The "Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Bangladesh Supreme Court Judges Committee" on 15 August, 2021 paid homage to Bangabandhu by placing wreaths at the portrait of Bangabandhu in the Supreme Court Judges Lounge. After placing wreaths, the Committee stood in solemn silence showing respect to the great leader and a Munajat was offered seeking eternal peace of the departed souls of the carnage of 15 August, 1975. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain also expressed his deep respect for Bangabandhu by placing floral wreaths at Bangabandhu's potrait in front of the Bangabandhu Memorial Museum situated at Road No. 32, Dhanmondi on 15 August, 2021.



The Honourable Chief Justice of Bangladesh along with the other Honourable Judges of the Supreme Court placing a floral wreath before the portrait of Bangabandhu at the Judges' Lounge on National Mourning Day

Publication:

Two research-oriented commemorative books namely "Bangabandhu and Bichar Bivag" (in Bangla), "Bangabandhu and the Judiciary" (in English) and a souvenir namely "Nay Kantho" have been published under the supervision of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Commemorative Book and Souvenir Publication Sub-Committee. The Honourable Prime Minister of Bangladesh and the Daughter of Bangabandhu, Sheikh Hasina unveiled the cover of the book on 28 December, 2021 by virtual presence at the Book Launch Event at the Supreme Court of Bangladesh. The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain, and the Law, Justice and Parliamentary Affairs Minister Mr. Anisul Huq, MP addressed the occasion, while Honourable Justice of the Appellate division and editor of the book and the souvenir Mr. Justice Md. Nuruzzaman gave the welcome address. An audio-video documentary on the book was also screened on the occasion.

Launching Ceremony of Commemorative Books

The Supreme Court of Bangladesh has been celebrating the Birth Centenary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman by taking several initiatives and arranging various programmes.

Bangabandhu is the architect of Bangladesh and the greatest Bengali of all time. Bangabandhu Sheikh Mujibur Rahman sacrificed his entire life for the country and its people. He had to go through indescribable pain to achieve the independence of Bangladesh and to ensure the rights of the common people of the country. The sacrifice and contribution of Bangabandhu for the independence of the country are incomparable. No other political leader in the world has been arrested as many times as Bangabandhu. In his less than 55 years of life, he spent nearly 13 years in prison. He was implicated at least in 30 cases and sentences in 3 cases. The undemocratic and military regime of Pakistan tried to use the legal apparatus to harass and torment Bangabandhu, but most of the time the Judiciary protected Bangabandhu and guarded him from such harassment by overturning those illegal arrests, convictions and sentences.



The Honourable Prime Minister of People's Republic of Bangladesh Government and Daughter of Bangabandhu, Sheikh Hasina unveiled the cover of the commemorative books on 28 December, 2021 by virtually being present at the Book Launching Event in the Supreme Court of Bangladesh

In commemoration of the "Mujib Borsho" or "Mujib Year" the Supreme Court of Bangladesh has uncovered many unknown chapters of those events in the life of the Father of the Nation. Accordingly, the Supreme Court of Bangladesh published two commemorative books namely "Bangabandhu and Bichar Bivag" (in Bangla), "Bangabandhu and the Judiciary" (in English). A brief biography of Bangabandhu and his measures taken for the development of judiciary were also included in the book which was published both in English and Bangla. A souvenir namely 'Nay Kantho' was also published on the commemoration of the "Mujib Borsho".

The Honourable Prime Minister of Bangladesh and the Daughter of Bangabandhu, Sheikh Hasina unveiled the cover of the books titled "Bangabandhu and Bichar Bivag" (in Bangla), "Bangabandhu and the Judiciary" (in English) and "Nay Kantho" on 28 December, 2021 by virtually being present at the Book Launch Event at the Supreme Court of Bangladesh. The Honourable Prime Minister, joining the programme virtually from the Ganabhaban, said that getting justice is the right of the people.



The Honourable Chief Justice of Bangladesh along with the members of the "Father of the Nation Bangabandhu Sheikh Mujibur Rahman Birth Centenary Celebration Bangladesh Supreme Court Judges Committee" during the unveiling of the cover of the commemorative books on 28 December, 2021

The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain, Law Justice and Parliamentary Affairs Minister Mr. Anisul Huq, MP also spoke on the occasion while the Honourable Judge of Appellate Division and editor of the book and the souvenir Mr. Justice Md. Nuruzzaman gave the welcome address



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain addressing at the Book Launching Event on 28 December, 2021



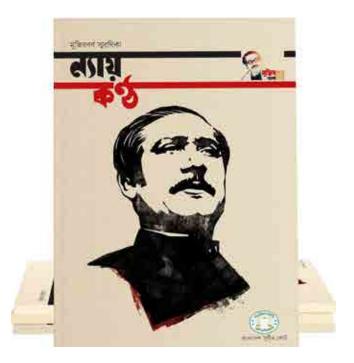
 $Mr.\ Justice\ Md.\ Nuruzzaman\ delivering\ welcome\ speech\ at\ the\ Book\ Launching\ Event\ on\ 28\ December,\ 2021$

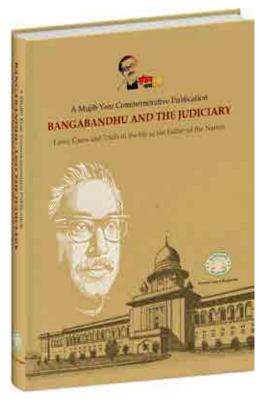


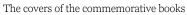
The distinguished guests at the Book Launching Event

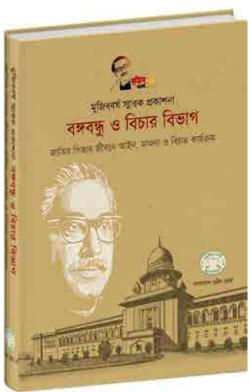
An audio-video documentary on the books was screened on the occasion.

At the outset of the programme, a one-minute silence was observed to pay respect to the memory of August 15, 1975 and Liberation War martyrs.









Minutes of the 'Special Full Court Meeting' dedicated to the memory of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman as part of his birth centenary celebration Supreme Court of Bangladesh Dhaka.

Minutes of the 'Special Full Court Meeting' held via video-conference on Monday 21 June, 2021 at 3 p.m. paying humble homage to the Father of the Nation Bangabandhu Sheikh Mujibur Rahman as part of his Birth Centenary celebrations:

Chairperson:

Mr. Justice Syed Mahmud Hossain

Honourable Chief Justice of Bangladesh

Present Honourable Justices of the Appellate Division:

Mr. Justice Muhammad Imman Ali

Mr. Justice Hasan Foez Siddique

Mr. Justice Abu Bakar Siddiquee

Mr. Justice Md. Nuruzzaman

Mr. Justice Obaidul Hassan

Present Honourable Justices of the High Court Division:

Mr. Justice Muhammad Abdul Hafiz

Mr. Justice Syed Refaat Ahmed

Mr. Justice Md. Ashfaqul Islam

Mr. Justice Md. Rais Uddin

Mr. Justice Md. Emdadul Haque Azad

Mr. Justice Md. Ataur Rahman Khan

Mr. Justice Syed Md. Ziaul Karim

Mr. Justice Md. Rezaul Haque

Mr. Justice Sheikh Abdul Awal

Mr. Justice S. M. Emdadul Hoque

Mr. Justice Mamnoon Rahman

Madam Justice Farah Mahbub

Mr. Justice A. K. M. Abdul Hakim

Mr. Justice Borhanuddin

Mr. Justice Md. Moinul Islam Chowdhury

Mr. Justice M. Enayetur Rahim

Madam Justice Naima Haider

Mr. Justice Md. Rezaul Hasan

Mr. Justice F.R.M. Nazmul Ahasan

Madam Justice Krishna Debnath

Mr. Justice A. N. M. Bashir Ullah

Mr. Justice Abdur Rob

Mr. Justice Md. Abu Zafor Siddique

Mr. Justice Jahangir Hossain

Mr. Justice Sheikh Md. Zakir Hossain

Mr. Justice Md. Habibul Gani

Mr. Justice Gobinda Chandra Tagore

Mr. Justice Sheikh Hassan Arif

Mr. Justice J. B. M. Hassan

Mr. Justice Md. Ruhul Quddus

Mr. Justice Md. Khasruzzaman

Mr. Justice Farid Ahmed

Mr. Justice Md. Nazrul Islam Talukder

Mr. Justice Md. Akram Hossain Chowdhury

Mr. Justice Md. Ashraful Kamal

Mr. Justice K. M. Kamrul Kader

Mr. Justice Md. Mozibur Rahman Miah

Mr. Justice Mustafa Zaman Islam

Mr. Justice Mohammad Ullah

Mr. Justice Muhammad Khurshid Alam Sarkar

Mr. Justice A. K. M. Shahidul Huq

Mr. Justice Shahidul Karim

Mr. Justice Abu Taher Md. Saifur Rahman

Mr. Justice Mahmudul Hoque

Mr. Justice Md. Badruzzaman

Mr. Justice Zafar Ahmed

Mr. Justice Kazi Md. Ejarul Haque Akondo

Mr. Justice Md. Shahinur Islam

Madam Justice Kashefa Hussain

Mr. Justice Khizir Ahmed Choudhury

Mr. Justice Razik-Al-Jalil

Mr. Justice Bhishmadev Chakrabortty

Mr. Justice Md. Iqbal Kabir

Mr. Justice Md. Salim

Mr. Justice Md. Shohrowardi

Mr. Justice Md. Abu Ahmed Jamadar

Mr. Justice A. S. M. Abdul Mobin

Mr. Justice Md. Mostafizur Rahman

Madam Justice Fatema Najib

Mr. Justice Md. Kamrul Hossain Mollah

Mr. Justice S M Kuddus Zaman

Mr. Justice Md. Atoar Rahman

Mr. Justice Khizir Hayat

Mr. Justice Sashanka Shekhar Sarkar

Mr. Justice Mohammad Ali

Mr. Justice Mohi Uddin Shamim

Mr. Justice Md. Riaz Uddin Khan

Mr. Justice S. M. Maniruzzaman

Mr. Justice Ahmed Sohel

Mr. Justice Sardar Md. Rashed Jahangir

Mr. Justice Khandaker Diliruzzaman

Mr. Justice K.M. Hafizul Alam

Mr. Justice Muhammad Mahbub Ul Islam

Mr. Justice Shahed Nuruddin

Mr. Justice Md. Zakir Hossain

Mr. Justice Md. Akhtaruzzaman

Mr. Justice Md. Mahmud Hassan Talukder

Mr. Justice Kazi Ebadoth Hossain

Mr. Justice K.M. Zahid Sarwar

Mr. Justice A.K.M. Zahirul Huq

Madam Justice Kazi Zinat Hoque

Discussion topics:

- 1. Tribute to the Father of the Nation Bangabandhu Sheikh Mujibur Rahman on his birth centenary.
- 2. Discussion on the role of the judiciary in materializing the dream of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman on his birth centenary.

Discussion

The speech of the Honourable Chief Justice of Bangladesh Mr. Syed Mahmud Hossain:

The Honourable Chief Justice of Bangladesh expressed his heartfelt reverence and tribute to Bangabandhu Sheikh Mujibur Rahman, the dreamer of independent Bangladesh, the great architect of independence, the greatest Bengali of all times, the undisputed leader of the Bengali liberation struggle and Father of the Nation. He remembered with deep respect Bangabandhu and Bangamata Begum Sheikh Fazilatunnesa Mujib who along with the members of their family and other martyrs were the assassinatied on 15 August, 1975. He also recalled all the valiant freedom fighters including the thirty lakh martyrs killed in the War of Liberation, two lakh mothers and sisters physically and mentally abused, and four national leaders killed while behind bars. He expressed his deep respect to Father of the Nation Bangabandhu Sheikh Mujibur Rahman as part of his Birth Centenary celebrations and thanked all the esteemed Justices present at the Special Full court Meeting.

He expressed that this day would undoubtedly be memorable in the history of the Judiciary of Bangladesh. The Judiciary is one of the three most imperative organs of the state. Bangabandhu dreamt of an independent Bangladesh, free from exploitation and deprivation. Based on this dream, he enshrined in the Constitution the framework of an independent Judiciary. In order to comprehend his dream, we have to be more diligent in fulfilling the responsibilities entrusted to us by Bangabandhu. Bangabandhu inaugurated the Supreme Court of Bangladesh on 18 December, 1972. His conviction was to ensure rule of law in the country by establishing justice in the shortest possible time and at the lowest cost.

As Bangabandhu never bowed to injustice, he had to spend a significant part of his life behind bars. He never backed down from his ideals and values. He taught us how to live holding our heads high, how to protest against injustice and how to stand by the exploited and the deprived. Bangabandhu dreamt of an effective Judiciary.

Virtual courts have taken his dreams far ahead in establishing an effective Judiciary in Bangladesh. At present, the Appellate Division of the Supreme Court of Bangladesh is engaged in conducting virtual proceedings using information technology during the COVID-19 pandemic. The total number of cases in the Appellate Division was 23,000. The number has now been reduced to 15,000 as the Appellate Division has disposed of cases through the full use of judicial working hours in a virtual manner.

The High Court Division of the Supreme Court of Bangladesh has also disposed of a significant number of cases. The learned lawyers of the Supreme Court of Bangladesh, sitting in their respective chambers or houses are spontaneously participating in the hearing sessions of the Appellate Division and the High Court Division in a virtual manner.

Learned lawyers, despite being stayed in abroad, have also been participating in the hearing sessions. The Honourable Chief Justice thanked the Honourable Prime Minister of the Government of the People's Republic of Bangladesh Sheikh Hasina for her sincere efforts in enacting the "আদালত কর্তৃক তথ্য-প্রযুক্তি ব্যবহার আইন, ২০২০" (The Use of Information-Technology by the Courts Act, 2020)".

He also expressed his gratitude to the Honourable Justices of the Supreme Court of Bangladesh for their enduring support for completing the hearings without delay using virtual methods. The failure of the court to conduct its normal activities during the COVID-19 pandemic has had a major undesirable impact on the rate of case disposal at that time. Everyone needs to look at how to get rid of this and settle more cases. He further said that Bangabandhu's dream of an effective Judiciary will be realized only if the Judges perform their duties properly. Bangabandhu's dream will not come true if our respective responsibilities are not carried out properly.

In order to realize Bangabandhu's dream, justice must be ensured as quickly as possible. Bangabandhu repeatedly placed his trust in the Judiciary as the last hope for the establishment of justice. The unique Constitution he presented to the nation in accordance with their long-cherished aspirations in a very short time in 1972 included the provision for the establishment of the Supreme Court and the independent conduct of justice by the Judges. He inserted the provision of protection of fundamental rights in the Constitution. On this special occasion of the birth centenary of Father of the Nation, he requested all the Judges to increase the number of disposal of cases in the next six months. Bangabandhu's dream will come true if cases of people seeking justice can be settled in

a short time which will consequently ensure justice. He concluded by expressing the expectation that Judges would discharge their duties fairly and squarely.

Discussants: Honourable Justices:

Appellate Division:

Mr. Justice Muhammad Imman Ali, Mr. Justice Hasan Foez Siddique, Mr. Justice Abu Bakar Siddiquee Mr. Justice Md. Nuruzzaman, Mr. Justice Obaidul Hassan.

High Court Division:

Mr. Justice Syed Refaat Ahmed, Mr. Justice S.M. Emdadul Hoque, Mr. Justice Md. Moinul Islam Chowdhury, Mr. Justice M. Enayetur Rahim, Mr. Justice Md. Rezaul Hasan, Mr. Justice F.R.M. Nazmul Ahasan, Mr. Justice Md. Abu Zafor Siddique, Mr. Justice Jahangir Hossain, Mr. Justice Sheikh Hassan Arif, Mr. Justice J. B. M. Hassan, Mr. Justice Md. Ruhul Quddus, Mr. Justice Md. Khasruzzaman, Mr. Justice Farid Ahmed Mr. Justice Md. Nazrul Islam Talukder, Mr. Justice Md. Ashraful Kamal, Mr. Justice Abu Taher Md. Saifur Rahman Mr. Justice Kazi Md. Ejarul Haque Akondo, Mr. Justice Khizir Ahmed Choudhury, Mr. Justice Md. Abu Ahmed Jamadar.

Decision:

At the end of the discussion, the following decisions were unanimously taken:

- 1. This 'Special Full Court Meeting' held via video conferencing on 21 June, 2021 from 3 pm to 6.10 pm to mark the occasion of the Birth Centenary of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman is being dedicated to the architect of the Bengali nation, the greatest Bengali of all times, the undisputed leader of the Bengali's liberation struggle and Father of the Bengali Nation--Bangabandhu Sheikh Mujibur Rahman.
- 2. The Honourable Justices of the Supreme Court of Bangladesh are expressing their firm convictions that they would perform their judicial duties and establish rule of law in light of the principles of governance enshrined in the Constitution of the People's Republic of Bangladesh, written in the letters stained with the blood of three million martyrs of the Great Liberation War who sacrificed their lives for the cause of independent motherland--Bangladesh.
- 3. Bangabandhu had an aspiration of ensuring conclusion of trial in the shortest possible time and at the lowest cost. To achieve this end, the Supreme Court of Bangladesh pledge bound to take necessary steps for speedy disposal of cases pending in various courts and timely reform of the judiciary to ensure justice in accordance with the Constitution and law.
- 4. Bangabandhu's aspiration was to establish the mother tongue, the state language Bengali in court; Supreme Court of Bangladesh will take necessary steps to that end.
- 5. The minutes and a video of the full court meeting will be sent to His Excellency President Md. Abdul Hamid, Honourable Prime Minister and Bangabandhu's eldest daughter Sheikh Hasina and Bangabandhu's youngest daughter Sheikh Rehana.
- 6. A video of this Full Court Meeting will be preserved in the Bangladesh Supreme Court Museum/Archive.

Honourable Chief Justice of Bangladesh extended thanks to all and declared the conclusion of the meeting.

(Mr. Justice Syed Mahmud Hossain)

Chief Justice of Bangladesh

Supreme Court Day 2021

The Full Court Meeting of the Supreme Court of Bangladesh held on 25 October, 2017 decided to celebrate 'Supreme Court Day' on 18 December every year. This is the day on which the Supreme Court of Bangladesh, comprising of Appellate Division and the High Court Division, under the Constitution drafted by the Constituent Assembly with guidance from our great national leader, Father of the Nation Bangabandhu Sheikh Mujibur Rahman started functioning full-fledged as the apex court of the country.



Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid addressing at Supreme Court Day 2021

Historically, the people of Bangladesh regard the Supreme Court of Bangladesh with utmost reverence. The Supreme Court in the past fifty years, performed a wide range of adjudicative activities and showed interpretive leadership in expounding the meaning of the Constitution.



The Honourable Speaker of the National Parliament, the Honourable Chief Justice of Bangladesh, the Honourable Minister for Ministry of Law, Justice and Parliamentary Affairs and the Honourable Members of the Supreme Court Day Observance Committee are unveiling the cover of the commemorative book on Supreme Court Day 2021



The Honourable President of People's Republice of Bangladesh Mr. Md. Abdul Hamid receiving a memento of Supreme Court Day 2021 from the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain

On 18 December, 2021, Supreme Court Day was observed for the fifth time in a row by following necessary preventive measures because of the COVID-19 pandemic. A discussion was held at Supreme Court Judges' Sports Complex in commemoration of the day and to reckon the pride and glory of the Court. On the occasion, the Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid graced the occasion as the Chief Guest by delivering valuable speech virtually from the Bangabhaban.



The Honourable Speaker of the National Parliament Dr. Shirin Sharmin Chaudhury addressing the programme on Supreme Court Day 2021

The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain graced the event and delivered speech. The Honourable Speaker of the National Parliament Dr. Shirin Sharmin Chaudhury was present as Special Guest. The Honourable Minister of the Ministry of Law, Justice and Parliamentary Affairs, Mr. Anisul Huq MP and Mr. Justice Obaidul Hassan, Honourable Judge of the Appellate Division and Chairperson of the Supreme Court Day Observance Committee delivered speeches. Mr. A K M Amin Uddin, the Attorney-General for Bangladesh and President of the Supreme Court Bar Association, delivered his speech.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain addressing the programme on Supreme Court Day 2021



The Honourable Minister of the Ministry of Law, Justice and Parliamentary Affairs, Mr. Anisul Huq MP addressing the programme on Supreme Court Day 2021

A special documentary film was made and watched by the audience. Measures like social distancing, wearing masks, proper sanitisation were duly taken. A large congregation was avoided and technology was used in the best possible manner. The event was web-casted.



 $Ho nourable \ Judge \ of the \ Appellate \ Division \ and \ the \ Chairperson \ of the \ Supreme \ Court \ Day \ Observance \ Committee \ Mr. \ Justice \ Obaidul \ Hassan \ addressing \ the \ programme \ on \ Supreme \ Court \ Day \ 2021$



Distinguished guests at Supreme Court Day 2021



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain and the Honourable Minister of the Ministry of Law, Justice and Parliamentary Affairs, Mr. Anisul Huq, MP giving memento to the Honourable Speaker of the National Parliament Dr. Shirin Sharmin Chaudhury

The Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid in his virtual speech urged judges, lawyers and all concerned to ensure the rule of law. He observed that the Supreme Court of Bangladesh played a commendable role in establishing the virtual Court in Bangladesh during the coronavirus pandemic.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain receiving memento of Supreme Court Day 2021 on behalf of the Honourable President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid from Honourable Judge of the Appellate Division and the Chairperson of the Supreme Court Day Observance Committee Mr. Justice Obaidul Hassan



 $\label{thm:controller} \mbox{Honourable Judges and distinguished guests at Supreme Court Day 2021}$



 $The \ Honourable \ Chief \ Justice \ of \ Bangladesh \ Mr. \ Justice \ Syed \ Mahmud \ Honourable \ Judges \ of \ the \ Supreme \ Court \ are \ cutting \ cake \ at \ Supreme \ Court \ Day \ 2021$



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain and Honourable Judges of the Supreme Court are cutting cake at Supreme Court Day 2021

International Relations

The Supreme Court as always continues to attract international interest from Judges and officials of the many countries of the world. In 2021 the world faced an unprecedented global health emergency due to the COVID-19 pandemic. Therefore, the Honourable Judges of the Supreme Court of Bangladesh could not travel physically to attend international conferences, symposia and discussion. Simply, as in previous year, Judges, legal scholars and legal luminaries of foreign countries could not to visit the Supreme Court of Bangladesh because of the pandemic. However, the Honourable Judges of the Supreme Court of Bangladesh virtually attended several international conferences.

These include the following:

Mr. Justice Syed Mahmud Hossain, the Honourable Chief Justice of Bangladesh, on 27 August, 2021 by the invitation from Mr.Kairat Mami, the President of the Association of Asian Constitutional Courts (AACC) and Equivalent Institutions and Chairman of the Constitutional Council of Kazakhstan, virtually attended Symposium on "The Internet Era: The Rule of Law, the Values of Person and the State Independence" organized by the Constitutional Council of Kazakhstan. His Lordship delivered speech on "Constitutionalism in the Context of COVID-19 Pandemic: Role of the Supreme Court of Bangladesh."



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain virtually attended the Symposium organised by the Constitutional Council of Kazakhstan and delivered speech therein

His Lordship on 17 September, 2021 virtually attended the 2nd Judicial Conference of the OIC Member States /Observer States which was conducted in Bandung, Indonesia. His Lordship delivered speech on "The Role of the Judiciary in Promoting Humanity and Democracy." The Conference was successfully held and participated by overall 181 participants from 38 Constitutional/Supreme Courts/Councils and Equivalent Institutions of OIC Member/Observer States, guest courts, and international institutions.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain virtually attended the 2nd Judicial Conference of the OIC member states and delivered speech therein

Mr. Justice Syed Refaat Ahmed, on 08 December, 2021 attended The 3rd GENERAL ASSEMBLY OF THE GLOBAL JUDICIAL INSTITUTE ON THE ENVIRONMENT (GJIE), Rio de Janeiro, Brazil organized with technical assistance of the State Supreme Court in Rio. As GJIE's Founding Member Mr. Justice Syed Refaat Ahmed was pleased to attend the General Assembly via video link to review and finalise the GJIE STATUTE that Mr. Justice Ahmed helped draft in Brasilia in 2017 and to chart GJIE's mission from here onwards.



On 20 November 2021 Mr. Justice Syed Refaat Ahmed virtually attended the Conference on "Criminalization of Humanitarian Action and Access to Victims" organized by the School of Law, Zhejiang Gongshang University, Hangzhou, China and ICRC Regional Delegation for East Asia and addressed as Distinguished Expert Speaker

His Lordship Mr. Justice Syed Refaat Ahmed on 10 January, 2021 virtually participated in the discussion programme in commemoration of Bangabandhu's Homecoming Day, 10 January, 1972 at the invitation of H.E. High Commissioner of Bangladesh, Nahida Rahman Shumona in Brunei.



Mr. Justice Syed Refaat Ahmed virtually attending a programme in commemoration of Bangabandhu's Homecoming Day on 10 January, 2021 In Commemoration of the International Mother Language Day 21 February, 2021 the recorded message of Mr. Justice Syed Refaat Ahmed was played for the Diplomatic Corps and other Officials in Brunei.



 $Recorded\ message\ of\ Mr.\ Justice\ Syed\ Refaat\ Ahmed\ was\ played\ for\ the\ Diplomatic\ Corps\ and\ other\ Officials\ in\ Brunei$

Extramural Engagements

The Honourable Judges of the Supreme Court of Bangladesh have continued to take part in conferences and events virtually and physically in 2021. This includes delivering speeches, talks and lectures as well as attending conferences and exchange of opinion meetings. These activities have also been supplemented by writing of journal articles.

Mr. Justice Syed Mahmud Hossain, the Honourable Chief Justice of Bangladesh, on 5 November, 2021 as the Chief Guest inaugurated two six-month expert programs for Judges and prosecutors assigned to the Anti-Terrorism Tribunals (ATT) in Dhaka, Chattogram, Sylhet, Khulna, Barishal, Rangpur, and Rajshahi; organised by the U.S. Embassy through the U.S. Department of Justice. H.E. Earl R Miller, the United States Ambassador to Bangladesh, and Mr. A.M. Amin Uddin, Attorney General for Bangladesh attended the event as Special Guests. Judges and Prosecutors have been invited from Anti-Terrorism Tribunals, Cyber Crimes Tribunal, Speedy Trial Tribunals and Human Trafficking Tribunals of Bangladesh.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain, H.E. Earl R Miller, the US ambassador to Bangladesh, Mr. A.M. Amin Uddin, Attorney General for Bangladesh and Michelle Prince, Resident Legal Advisor, U.S. DOJ/OPDAT, U.S. Embassy, Dhaka at the inauguration ceremony of the Expert Programs on Judicial and Case Management and Prosecutorial Development on 5 November,

The training focused on developing strategies and skills that provide sustainable assistance to enhance the capacity of ATT tribunals to prosecute and administer justice.



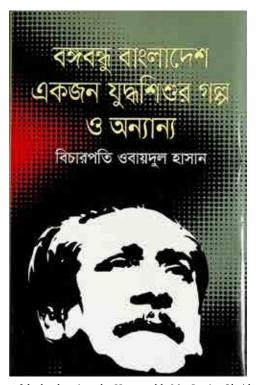
The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain, H.E. Earl R Miller, the US ambassador to Bangladesh and Mr. A.M. Amin Uddin, Attorney General for Bangladesh along with the other participants of the Expert Programs

Mr. Justice Muhammad Imman Ali, Madam Justice Naima Haider and Mr. Justice Khizir Ahmed Choudhury on 26 November, 2021 attended a seminar on "Discussion on Current Trend of Judicial Decisions in Bangladesh" organized by the Department of Law, University of Rajshahi.

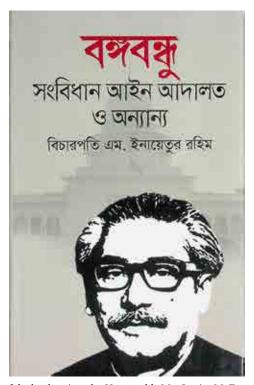


 $Honourable\ Mr.\ Justice\ Muhammad\ Imman\ Ali\ addressing\ the\ Seminar\ organised\ by\ the\ Department\ of\ Law,\ University\ of\ Rajshahi\ on\ 26\ November,\ 2021$

Mr. Justice Obaidul Hassan and Mr. Justice M Enayetur Rahim on 10 April, 2021 launched two separate books by a virtual Book Launching Event. The book titled "Bangabandhu Bangladesh: Ekjon Juddhoshishur Golpo o Onyanya" written by Mr. Justice Obaidul Hassan. The book titled "Bangabandhu: Sangbidhan Ain Adalat O Onyanya" written by Mr. Justice M Enayetur Rahim.



Cover Page of the book written by Honourable Mr. Justice Obaidul Hassan



Cover Page of the book written by Honourable Mr. Justice M. Enayetur Rahim

The Honourable Chief Justice of Bangladesh, **Mr. Justice Syed Mahmud Hossain** delivered speech as Chief Guest at a discussion virtually organised to launch these two books on the Father of the Nation Bangabandhu Sheikh Mujibur Rahman, Constitution, Judiciary and the roles of women and children in the Liberation War. The Honourable Judges of the Appellate Division and other dignifies attended the event.



Honourable Judges of the Appellate Division and High Court Division virtually attended a discussion organised to launch two books on Bangabandu

Mr. Justice Syed Refaat Ahmed, on 20 January, 2021 addressed a Seminar on the doyen of world cinema, Satyajit Ray organized on the occasion of Satyajit Ray's Birth Centenary by the 19th Dhaka International Film Festival (DIFF).



Honourable Mr. Justice Syed Refaat Ahmed virtually attended a seminar on Satyajit Ray on 20 January, 2021. The other notable discussant shown in this image is Ms. Sharmila Tagore, a veteran of Satyajit Ray's flims

Mr. Justice Md Ruhul Quddus, Hon'ble Judge of the High Court Division, Supreme Court of Bangladesh delivered his speech as the resource person in a virtual Training on Trial of Counter-Terrorism Cases jointly organized by the National Center for State Courts (NCSC) and Bangladesh Women Judges Association (BWJA) held on 11 December, 2021. Sixty-three women Judges from different areas of the country among others participated in the training.



Honourable Judge of the High Court Division Mr. Justice Md Ruhul Quddus attended a virtual Training on Trial of Counter-Terrorism Cases jointly organized by the National Center for State Courts (NCSC) and Bangladesh Women Judges Association (BWJA) held on 11 December, 2021



Honourable Judge of the High Court Division Mr. Justice Md Ruhul Quddus delivering speech in a virtual Training on Trial of Counter-Terrorism Cases jointly organized by the National Center for State Courts (NCSC) and Bangladesh Women Judges Association (BWJA) held on 11 December, 2021

"Muktijuddho Corner" at the Supreme Court of Bangladesh

Bangladesh achieved independence from Pakistan after fighting against the occupational force a fierce battle that was started by the Pakistani army on the night of 25 March, 1971. On that night they committed genocide by killing innocent people indiscriminately in order to wipeout our spirit for freedom that was ignited by Father of the Nation and the best Bangalee for all time Bangabandhu Sheikh Mujibur Rahman by his historic 7 March, 1971 speech at the Dhaka Racecourse Field. But the ruthless rulers of Pakistan misjudged the Nation's spirit for freedom.



The Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain inaugurating the "Muktijuddho Corner" along with the Honourable Judges of the Appellate Division

The Pakistanis thought that, if they could capture Bangabandhu and put him in jail the Nation would not be able to build resistance against them. Bangabandhu declared independence on 26 March, 1971 and gave order to fight until the last breath to free Bangladesh from the grip of occupational forces.



"Muktijuddho Corner" at the Supreme Court of Bangladesh

This Nation's all freedom loving people being inspired by Bangabandhu joined the fight against the Pakistani army with whatever they had and at a cost of human blood of 3 million people and ravaged honour of two hundred thousand women we snatched away independence from the Pakistani occupiers. In commemorating the brave contribution of the freedom fighters to whom this nation owes its independence the Supreme Court of Bangladesh has introduced a library room named "Muktijuddho Corner" wherein books and documents representing and narrating the true history of the Liberation War of the Nation have been kept for study. This is an effort of the Supreme Court that aims to honour the contribution of the freedom fighters thus paving the way for the younger generation who did not witness the Independence War to know the true history of it.



A portion of the "Muktijuddha Corner"

The "Muktijuddho Corner" was inaugurated by the Honourable Chief Justice of Bangladesh Mr. Justice Syed Mahmud Hossain on 30 December, 2021. The Honourable Judges of the Appellate Division as well as the High Court Division also graced the occasion with their kind presence.

Landmark Decisions of the Supreme Court of Bangladesh in the Year of 2021.

1. Durnity Daman Commission-Vs.-GB Hossain and other, 74 DLR (AD) 1 [Article 36 of the Constitution of Bangladesh, 1972]

No person can be deprived of his right to go abroad unless appropriate authority exercising its lawful power imposed restriction upon him. If a person's fundamental right under Article 36 is infringed, the State can rely upon a law to sustain the action(Para 18)

Under Article 36 freedom of movement is one of the fundamental rights guaranteed to every citizen of the country which cannot be abridged or denied arbitrarily on mere liking disliking without any specific law authorizing lawful justification for this purpose. The reasonableness is to be determined by an objective standard and not subjective one

......(Para 21)

The protection it secures is limited one. In no case may a person be arbitrarily deprived of the right to enter his or her own country, and that there are few, if any, circumstances in which deprivation of the right to enter a person's own country could be considered reasonable. Legislation which arbitrarily or excessively invades the right cannot be a proper balance between the freedom guaranteed and the general welfare(Para 24)

2. Government of Bangladesh, represented by the Secretary, Ministry of Housing and Public Works, Dhaka and others-Vs.-Tahera Begum, wife of late Md Serajul Islam and others, 73 DLR (AD) 356 [Abandoned Buildings (Supplementary Provisions) Ordinance, 1985]

No notice has been served upon the original lessee, or the predecessor of the respondents. As the original lessee was in possession of the suit land at the time of selling of the land and thereafter, the predecessor of the respondents had been enjoying the possession of the same, the inclusion of the case property in the list of the abandoned buildings cannot be said to have been done legally rather it was done without lawful authority.

3. Aziz @ Azizul @ Azid and others-Vs.-State, 73 DLR (AD) 365 [Sections 164(3) & 376 of the Code of Criminal Procedure, 1898]

When the voluntary character of the confession and truth are accepted it is safe to rely on it. Indeed a confession, if it is voluntary and true and not made under any inducement or threat or promise, is the most patent piece of evidence against the maker. A confession may form the legal basis of conviction if the court is satisfied that it was true and was voluntarily made

..... (Para 21)

It is the duty of the Court to respond to the cry of the society and to settle what would be a deterrent punishment for an abominable punishment. Two widows, having had no male member of their families and had been maintaining their livelihood by selling sarees in different villages, were somehow brought in a field in the late night and the convicts not only raped them but also killed them mercilessly. Both the victims died with a painful death. Considering the nature of crimes, we do not find any mitigating circumstances to commute the sentence

.....(Para 24)

4. Government of the People's Republic of Bangladesh, represented by the Secretary, Ministry of Education and others-Vs.-Kanij Salma, Lecturer of the Department of History of the Dhaka Women college and others, 73 DLR (AD) 295 [Article 102(2) of the Constitution of Bangladesh, 1972] [Audi alteram partem]

Filing on an appeal is not an efficacious remedy and the writ petition filed by respondent No.1 was maintainable. Before delisting the name from the list of MPO, no notice for showing cause was served upon her and, as such, the principle of natural justice has been violated.

5. Abdus Samad @ Md Abdus Samad-Vs.-State, 73 DLR (AD) 128 [Sections 300 & 304 part 1 of the Penal Code, 1860]

Even if the accused causes hurt with the intention of killing or causes such bodily injury as it likely to cause death, but if the act of the accused falls within the ambit of any exception to section 300 of the Penal Code, 1860, then the accused would be punished for culpable homicide not amounting to murder.

6. Chairman, Anti-Corruption Commission-Vs.- Omar Faruk and others, 73 DLR (AD) 218 [Sections 115 of the Evidence Act, 1872 & Section 367 of the Code of Criminal Procedure, 1898]

Estoppel is based on the principle that it would unjust, if a person intentionally by conduct or in any other manner has induced other person to believe and act upon such a representation, neither he nor those presenting can in a subsequent court proceeding deny the truth. Estoppel is a rule of civil actions. There is no theory of estoppel in the matter of defence taken by the accused in the trial(Para 12)

A Judgment has a significant social and civil function. After hearing the facts of case, evidence, law points, arguments etc, the Court will be in a position to pronounce the conviction or acquittal. The purpose for writing good judgment depends much on adherence of the independence, impartiality, fairness and competence. Failure to do so, sprit of judgment will be dying behind the close door. The soul of a judgment are the reasons for arriving at the findings. Before recording finding on a charge, the relevant evidence must be considered and discussed the submissions made on behalf of the parties. The method of arriving at a conclusion is the most important part writing judgment(Para 15 & 16)

7. Shafigul Islam-Vs.-State, 73 DLR (AD) 189 [Section 164(3) of the Code of Criminal Procedure, 1898]

If the confessional statement of the appellant made under section 164 of the Code is considered in conjunction with other evidence on record then it cannot be said that his confessional statement is true and voluntary (Para 26)

There are inconsistent statements as regard identification of the appellant by the torch light at the time of incident and the alleged story of apprehension of the appellant on the spot is totally false. Curiously enough, a new story was cooked up subsequently and if the appellant was apprehended on the spot as an assailant of the victim, there was no reason for filing initially a UD case and then a GD entry without mentioning the name of the appellant as the assailant. The evidence of PW 4 and 5 is a downright falsehood(Para 24)

8. Shukur Ali (Md) and another-Vs.-State, 74 DLR (AD) 11 [Section 30 of the Evidence Act, 1872]

The confessional statement of a co-accused can be used for the purpose of crime control against other accused persons even if there is a little bit of corroboration of that confessional statement by any sort of evidence either direct or circumstantial(Para 70)

In order to pursue a model of crime control in this regard, this court is willing to admit, in such rare instances, the confession of a co-accused as incriminating evidence against the other accused. Albeit, such evidence is still circumstantial. The principle of the right against self incrimination is also accompanied by the principle that upon silence on part of those incriminated, adverse inferences may be drawn at any stage of the trial and pre-trial procedures (Para 67, 68 & 72)

Confessions by a co-accused are generally inadmissible against the accused in a concerned case. In our duties of administering justice, we are sometimes faced with a case that forces us to consider aspects of larger policy at play. The balance between crime control and due process models of justice is such a consideration that requires reassessment with changing times and upon the fact of each case. The case before us is one of such a heinous crime, where measures of control are made far more necessary, to ensure that justice can be brought to the victim in question. As such, while due process is still of utmost importance; crime control considerations must be made as well(Para 63, 64, 65 & 66)

9. State-Vs.-Aslam Shikder, 74 DLR (AD) 25 [Article104 of the Constitution of Bangladesh, 1972]

It is true that the matter of granting bail to any accused is within the discretion of the Judge considering the bail application, but bail cannot be granted to an accused whose bail order has been stayed by the apex Court. Discretion must be exercised judiciously and any such application must be scrutinised in the light of all the facts and circumstances of the case and the evidence and materials on record. It is highly improper to grant an accused bail when the case is ready for pronouncement of judgment, especially when the allegation is of an offence so serious as rape and when bail has been consistently refused by all the Courts.

10. Mamun @ Mamun Ar Rashid-Vs.-State, 74 DLR (AD) 36 [Section 106 of the Evidence Act, 1872]

When wife dies within the custody of her husband, the husband is to explain the cause of her death. The deceased was admittedly living with the condemned-appellant at the relevant time and thus the condemned-appellant was obliged to give an explanation as to how his wife had met with her death although normally an accused is under no obligation to account for the death for which he is on trial.

11. Ashfaq Hossain-Vs.-State and another, 74 DLR (AD) 40 [Section 138 of the Negotiable Instruments Act, 1881 & Section 561A of the Code of Criminal Procedure, 1898]

Issuing and signing of the cheques would be proved at the trial. Whether he managed the affairs of the company or not is a disputed question of facts. The High Court Division was not justified in passing the impugned judgment considering the documents submitted before it. The High Court Division was based upon disputed question of facts and defence materials, those materials were not submitted at the trial Court, rather, directly sbmitted before the High Court Division for consideration in the proceedings under section 561A of the Code. The complaint has no occasion to know about the transfer of shares beacuse it is the internal affairs of the accused and his company which ought not have scrutinized bt the High Court Division while exercising its inherent jurisdiction. On the basis of such defence materials quashing of the proceedings of the 3 (three) cases out of 5 (five) in serious error of law

......Para 27 & 28)

The Court is required to look into the allegation made in the FIR or petition of complaint that whether the same discloses any offence or not, but the High Court Division is not justified in invoking its inherent power on the basis of defence materials

.....(Para 30 & 31)

12. Anowar Hossain-Vs.-State, 74 DLR (AD) 55 [Section 374-376 of the Code of Criminal Procedure, 1898]

Length of period spent by a convict in the condemned cell is not necessarily a ground for commutation of the sentence of death. However, where the period spent in the condemned cell is not due to any fault of the convict and where the period spent there is inordinately long, it may be considered as an extenuating ground sufficient for commutation of sentence of death

.....(Para 52)

The principle of circumstantial evidence to prove the guilt of an accused is that the prosecution has to prove the circumstantial evidence beyond reasonable doubt and the chain of circumstances should be cogent and consistent showing that the accused is compatible with the circumstances. In a case based on circumstantial evidence, before any hypothesis of guilt can be drawn on the basis of circumstances, the legal requirement is that the circumstances themselves have to be proved like any other fact beyond reasonable doubt

13. Shamim @ Shamim Reza-Vs.-State, 74 DLR (AD) 103 [Sections 35A, 374 and 376 of the Code of Criminal Procedure, 1898]

On consideration of his age at the time of commission of the offence, the condemned-appellant should be given a chance so that after suffering the prolong sentence, he could lead an orderly life and become a

law abiding citizen of the country. We are inclined to commute the sentence of death imposed upon the condemned-appellant to imprisonment for life. Sentence of death is commuted to one for imprisonment for life. He will get the benefit of section 35A of the Code and other remissions as admissible under the Jail Code.

14. Aminul Islam-Vs.-State, 27 BLC (AD) 35 [Circumstantial Evidence]

The act of absconding is relevant piece of evidence to be considered along with other evidence. Police recovered blood stained shirt, lungi and mobile set of victim from the custody of the appellant which was enough to connect him with the occurrence. Particularly, recovery of mobile phone from the appellant can be held as a determining link in completing the chain of circumstantial evidence which proved beyond reasonable hypothesis that of the guilt of the appellant.

15. Kanai Chandra Das being dead his heirs-Reba Rani and others-Vs.-Nipendra Chandra Mondal, 27 BLC (AD) 1 [Section 112 of the Evidence Act, 1872]

An innocent child may be the victim of our decision. In such circumstances, the Court has to consider diverse aspects including presumption under section 112 of the Act. The legal presumption as per provision of section 112 of the Act has the effect of throwing the burden of proving the illegitimacy of a child satisfying its requirements on the person interested in making it out. This provision has been treated by the apex Courts of the subcontinent as the general law determining the legitimacy is the questions involving rights of inheritance. The presumption being highly followed by law, the proof of non-access must be clear and satisfactory.

16. Mujibur Rahman alias Mujibur Rahman-Vs.-State and another, 26 BLC (AD) 373 [Section 423 of the Code of Criminal Procedure, 1898 & Sections 10 and 9(4)(kha)of the Nari-o-Shishu Nirjatan Daman Ain, 2000

The High Court Division allegedly passed a greater sentence without issuing any rule upon the convict-petitioner. Principles of natural justice demands that the sentence imposed on the accused cannot be enhanced without giving him/her the opportunity to be heard on the action to be taken(Para 16)

The High Court Division altered the conviction from section 10 to section 9(4)(Kha) of the Ain and thereby enhanced the sentence imposed upon the convict-petitioner without giving show cause notice or issuing any Rule upon him and such enhancement has been done without following the due process of law as provided in the statute. Since the allegation of section 10 of the Ain, 2000 has been proved by adducing witnesses from the prosecution, the judgment and order of the Tribunal is thus restored(Para 17 & 18)

17. Government of the People's Republic of Bangladesh, represented by the Secretary, Ministry of Finance, Bangladesh Secretariat, Dhaka & Another -Vs.- MNH Bulu and others, 27 BLC (AD) [Article 102(2) (a)(i) of the Constitution of Bangladesh]

It is well settled now that second part of clause (2)(a)(i) of the Article 102 of the Constitution confers power on the High Court Division to issue Writ in the nature of mandamus to compel a person performing functions in connection with the affairs of the Republic or a local authority to do something that he is required by law to do.

18. Mahbubur Rahman Titu (Md)-Vs.- State, 27 BLC (AD) [Sections 164 & 364 of the Code of Criminal Procedure, 1898]

The provisions of sections 164 and 364 of the Code emphasise an inquiry by the Magistrate to ascertain the voluntary nature of confession. This inquiry appears to be the most significant and an important part of the duty of the Magistrate recording the confessional statement of an accused. Before proceeding to record the confessional statement, a searching enquiry must be made from the accused as to the custody from which

he was produced and the treatment he had been receiving in such custody in order to ensure that there is no scope for doubt of any sort of extraneous influence proceeding from a source interested in the prosecution still lurking in the mind of an accused. It is established principle that the confessional statement is sufficient to convict its maker if it is found that the same was made voluntarily and true and recorded following the provisions provided under section 164 and 364 of the Code of Criminal Procedure.

19. Anti-Corruption Commission -Vs.- Ezbahul Bar Chowdhury and others, 27 BLC (AD) 63 [Section 242A of the Code of Criminal Procedure, 1898]

Section 242A of the Code provides that at the time of framing charge if the Magistrate considers the charge to be groundless, then the Magistrate can discharge the accused. The term 'groundless' in this connotation denotes the evidence or materials produced before the Magistrate are insubstantial, insignificant, trivial and there exists no sufficient reason to bring the accused under trial. If this appears before the Magistrate after consideration of the materials on record, then the Magistrate can discharge the accused under section 241A of the Code otherwise not.

20. Iqbal Hossain and another -Vs.- State, 27 BLC (AD) 23 [Section 173 of the Code of Criminal Procedure, 1898 & Article 103(2)(b) of the Constitution of Bangladesh, 1972]

For the purpose of holding the inquest it is neither necessary nor obligatory on the part of police to investigate into or ascertain who were the persons responsible for death. The inquest report cannot be treated as substantive evidence

.....(Para 14)

Article 103(2)(b) of the Constitution granted automatic right of appeal to the Appellate Division in all death sentence cases. This is for the reason that at least three judicially trained minds need to apply their minds at the final stage of the journey of a convict on death row. Death and if not life, death or life, life and if not death, is a swinging progression of the criminal jurisprudence. The question of sentence is always a difficult, requiring as it does, proper adjustment and balancing of various considerations which weigh with a judicial mind in determinations its appropriate quantum in a given case. The main purpose of the sentence broadly stated is that the accused must realize that he has committed an act which is not only harmful to the society of which he forms integal part but is also to his own future. The sentence should neither be too lenient nor disproportionately to do so. What is the relative weight to be given to the aggravating and mitigating factors, depends on the facts and circumstances of the particular case

......(Para 17)

21. Phoenix Finance and Investment Limited (PFIL) -Vs.- Yeasmin Ahmed and another, 27 BLC (AD) 31 [Section 561A of the Code of Criminal Procedure, 1898]

Whether a person was in charge and was responsible for conduct of the business of the company at the relevant point of time is a question of fact and this fact cannot be entertained under section 561A of the Code. It is only possible on the part of the accused, at the time of trial, by adducing evidence that he/she was not responsible for issuing the cheque as he/she had no knowledge regarding issuance of the cheque in question

22. Zamir and others-Vs.-State, 26 BLC (AD) 252 [Section 10 of the Evidence Act, 1872]

In a case of conspiracy the subsequent behaviour of the conspirators are considered as important factors. In case of conspiracy the conspirators conspire among themselves, there remains no eye witness. They make design and prepare plan to execute the same and in furtherance of their conspiracy and common intention execute the plan.

23. Nur Mohammad-Vs.-Government and others, 15 SCOB AD, 71 [Section 5 of the Probation of Offenders Ordinance, 1960]

যখনই বিজ্ঞ বিচারক ৩২৫ ধারার অপরাধে আসামীকে দোষী সাব্যস্ত করলেন তখনই উনার উচিত ছিল "প্রবেশন অব অফেন্ডার্স অর্ডিন্যান্স. ১৯৬০" -এর ৫ ধারা বিবেচনা করা। মামলার বিষয়বস্তু থেকে প্রতীয়মান হয় যে, এই ঘটনা ঘটেছিল দই প্রতিবেশীর মধ্যে তুচ্ছ একটা ঘটনার জের ধরে। এইসব ক্ষেত্রে আসামীকে ১(এক) বছরের জন্য জেলে না পাঠিয়ে প্রবেশনে রাখা সমীচীন ছিল। এমনকি. যেহেতু দন্ডবিধি ৩২৩ এবং ৩২৫ ধারা আপোষযোগ্য অপরাধ (Compoundable offence) এবং যেহেতু দুই পক্ষ হচ্ছে পরস্পর আত্মীয়/প্রতিবেশী কাজেই মামলাটি আপোষ মীমাংসা করা যুক্তিযুক্ত ছিল

কোনো বিশেষ আইনের অধীনে দায়রা আদালত হিসেবে ক্ষমতাপ্রাপ্ত যেকোন আদালত বা ট্রাইব্যুনাল এবং ১ম শ্রেণীর ম্যাজিস্ট্রেটের ক্ষমতাপ্রাপ্ত যেকোন আদালত বাট্রাইব্যুনাল-এই আইনের বিধান প্রয়োগ করতে পারবেঃ দায়রা আদালত হিসেবে ক্ষমতাপ্রাপ্ত যেকোন আদালত বা ট্রাইব্যনাল এবং ১ম শ্রেণীর ম্যাজিস্ট্রেটের ক্ষমতাপ্রাপ্ত যেকোন আদালত বা ট্রাইব্যনাল-এই আইনের বিধান প্রয়োগ করতে পারবে। সুতরাং বিশেষ ক্ষমতা আইন, ১৯৭৪ (Special Powers Act, 1974)-এর ধারা ২৯, সন্ত্রাস বিরোধী আইন, ১৯৯২ (Anti-Terrorism Act, 1992)-এর ধারা ১৫(১), সন্ত্রাস বিরোধী আইন, ২০০৯ (Anti-Terrorism Act, 2009)-এর ধারা ২৭(৩), নারী ও শিশু নির্যাতন (বিশেষ বিধান) আইন, ১৯৯৫-এর ধারা ২৩(১), জননিরাপত্তা (বিশেষ বিধান) আইন, ২০০০-এর ধারা ২১(১), নারী ও শিশু নির্যাতন দমন আইন, ২০০০-এর ধারা ২৫(১), ক্রিমিনাল ল এ্যামেন্ডমেন্ট এ্যাক্ট, ১৯৫৮-এর ধারা ৬(১)(ক) এবং ফরেন এক্সচেঞ্জ রেগুলেশন এ্যাক্ট, ১৯৪৭-এর ধারা ২৩ক(৩)-এ উল্লেখিত বিধান অনুসারে ক্ষেত্রমতে ট্রাইব্যুনাল অথবা আদালতসমূহ দায়রা আদালত বলে গণ্য হবে। দ্রুত বিচার আইন, ২০০২-এর ধারা ১২(২) অনুসারে ১ম শ্রেণীর ম্যাজিস্ট্রেট আদালত বলে গণ্য হবে এবং ফরেন এক্সচেঞ্জ রেগুলেশন এ্যাক্ট, ১৯৪৭-এর ধারা ২৩ক(৩) অনুসারে ক্ষেত্রবিশেষ ট্রাইব্যুনাল ১ম শ্রেণীর ম্যাজিস্ট্রেট আদালত অথবা দায়রা আদালত বলে গণ্য হবে। উপরোক্ত আলোচনার প্রেক্ষিতে দেখা যাচ্ছে যে. কোন কোন বিশেষ আইনে অপরাধের ক্ষেত্রেও "প্রবেশন অব অফেন্ডার্স অর্ডিন্যান্স, ১৯৬০" প্রয়োগ করা যাবে

.....(প্যারা ২০ এবং ২১)

24. Md. Rabiul Islam & others-Vs.-Sultan Mahmud & others, 15 SCOB AD, 96 [Section 96 and 89 of the State Acquisition and Tenancy Act, 1950]

From a conjoint reading of the above provisions of law it is divulged that sub-section 3 of Section 96 of the Act requires that an application for pre-emption must be accompanied by deposit of the entire consideration money of the property transferred as stated in the notice under section 89 together with compensation @ 10% thereof. The statutory deposit being a condition precedent to the application being entertained, its non-compliance renders the application liable to be dismissed. Therefore, direction for depositing the rest statutory compensation deposit and consideration out of time would not cure the lacuna, thus, is also illegal and without jurisdiction(Para 14)

Conversion of Pre-emption application filed under section 96 of the State Acquisition and Tenancy Act, 1950 to section 24 of the Non-Agricultural Tenancy Act, 1949: The pre-emption application filed under section 96 of the Act, 1950 may be converted to a pre-emption case under section 24 of the Act, 1949 because the deposit of compensation would not be a impediment in case of such conversion allowing the amendment(Para 15)

Conversion of application filed under section 24 of the Non-Agricultural Tenancy Act to section 96 of the State Acquisition and Tenancy Act, 1950: It further be noted that the application filed under section 24 of the Act, 1949 may be converted to an application under section 96 of the Act, 1950 if such application for conversion is filed within 120 days, i.e. within period of limitation with rest of the deposit and concerned Court allowed the such application of conversation. The application for conversation cannot be allowed after the expiry of limitation as stipulated in the section 96 of the State Acquisition and Tenancy Act(Para 16)

Selected Circulars issued by the Supreme Court of Bangladesh in 2021

বাংলাদেশ সুপ্রীম কোর্ট হাইকোর্ট বিভাগ, ঢাকা। (বিচার শাখা) www.supremecourt.gov.bd



বিজ্ঞপ্তি নং- ০৮/২০২১

জে.

হারিখঃ — ২১ চৈত্র ১৪২৭ বঙ্গান্দ ত৪ এপ্রিল ২০২১ খ্রিস্টাব্দ

বিষয়: করোনা ভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতের কার্যক্রম সীমিতকরণ, অন্যান্য সকল অধস্তন আদালত/ট্রাইব্যুনাল এর কার্যক্রম পরিচালনা না করা এবং জামিন ও সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বর্ধিতকরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনা ভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে আগামী ৫ এপ্রিল ২০২১ খ্রিষ্টাব্দ তারিখ পর্যস্ত চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতের কার্যক্রম সীমিত করা হয়েছে এবং অন্যান্য সকল অধস্তন আদালত/ট্রাইব্যুনাল এর কার্যক্রম পরিচালনা না করার বিষয়ে সিদ্ধান্ত গ্রহণ করা হয়েছে। তবে, সাংবিধানিক বাধ্যবাধকতায় প্রত্যেক চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতে এক বা একাধিক ম্যাজিস্ট্রেট যথায়থ স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে দায়িত্বপালন করবেন।

- ০২. যে সকল মামলায় আসামীকে নির্দিষ্ট সময় পর্যন্ত জামিন প্রদান করা হয়েছে বা যে সকল মামলায় উচ্চ আদালত হতে অধস্তন আদালতে নির্দিষ্ট সময়ের মধ্যে আত্মসমর্পণের শর্তে জামিন প্রদান করা হয়েছে বা যে সকল মামলায় নির্দিষ্ট সময়ের জন্য অন্তর্বর্তীকালীন আদেশ প্রদান করা হয়েছে সে সকল মামলার জামিন এবং সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা আগামী ০২(দুই) সপ্তাহ পর্যন্ত বর্ধিত হয়েছে মর্মে গণ্য হবে।
- ০৩. উক্ত সময়ে অধস্তন আদালতে কর্মরত সকল বিচারক এবং আদালতের কর্মকর্তা-কর্মচারীকে কর্মস্থল ত্যাগ না করার জন্য নির্দেশক্রমে অনুরোধ করা হলো।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে
স্বাঃ/(মোঃ গোলাম রব্বানী)
রেজিস্ট্রার
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বিজ্ঞপ্তি নং- ০৯

জে.

২২ চৈত্ৰ ১৪২৭ বঙ্গাব্দ ০৫ এপ্রিল ২০২১ খ্রিস্টাব্দ

চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতে দায়িত্বপালনকারী ম্যাজিস্ট্রেট/ম্যাজিস্ট্রেটগণ কর্তৃক বিষয়ঃ শিশু আইন, ২০১৩ এর আওতায় আইনের সাথে সংঘাতে জড়িত শিশুকে শিশু উন্নয়ন কেন্দ্রে প্রেরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনা ভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে গত ০৪/০৪/২০২১ খ্রিঃ তারিখের বিচার শাখার ০৮ জে নং বিজ্ঞপ্তিমূলে চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতে দায়িত্রপালনকারী ম্যাজিস্ট্রেট/ম্যাজিস্ট্রেটগণ শিশু আইন. ২০১৩ এর আওতায় আইনের সাথে সংঘাতে জড়িত শিশুকে হেফাজতে (custody) রাখার প্রয়োজন মনে করলে শিশু উন্নয়ন কেন্দ্রে প্রেরণের প্রয়োজনীয় ব্যবস্থা গ্রহণ করবেন।

> বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ গোলাম রব্বানী) রেজিস্ট্রার হাইকোর্ট বিভাগ ফোনঃ ৯৫১৪৬৪৬ E-mail: registrar_hcd@supremecourt.gov.bd

বাংলাদেশ সুপ্রীম কোর্ট

ঢাকা ।

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বিজ্ঞপ্তি নং- ০৯/২০২১

জে.

তারিখঃ

২৮ চৈত্র ১৪২৭ বঙ্গাব্দ

১১ এপ্রিল ২০২১ খ্রিস্টাব্দ

বিষয় ঃ অধস্তন আদালত এবং ট্রাইব্যুনালে শুধু জামিন এবং অতীব জরুরী বিষয়সমূহ তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল শুনানীর মাধ্যমে নিস্পত্তিকরণ প্রসঙ্গে ।

বাংলাদেশের প্রধান বিচারপতি বাংলাদেশ সুপ্রীম কোর্টের জ্যেষ্ঠ বিচারপতিগণের সাথে আলোচনাক্রমে এই সিদ্ধান্ত গ্রহণ করেন যে, "আদালত কর্তৃক তথ্য-প্রযুক্তি ব্যবহার আইন, ২০২০" (১১ নং আইন, ২০২০) এর ৫ ধারার ক্ষমতা বলে প্রাদুর্ভূত মহামারী কোভিড-১৯ এর বিস্তার রোধকল্পে শারীরিক উপস্থিতি ব্যতিরেকে বিচারকার্য পরিচালনার লক্ষ্যে বিগত ১০ মে ২০২০ খ্রিস্টাব্দ তারিখের বিজ্ঞপ্তি নং-২১৪ এর ধারাবাহিকতায় শুধু জামিন এবং অতীব জরুরী বিষয়সমূহ তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল শুনানীর মাধ্যমে নিস্পত্তিকরণের ক্ষেত্রে অধস্তন আদালত ও ট্রাইব্যুনালসমূহ নিমুলিখিত পদ্ধতি অনুসরণ করবেন ঃ-

- ১. শুধু জামিন এবং অতীব জরুরী বিষয়সমূহ ভার্চুয়াল পদ্ধতিতে শুনানীর জন্য গ্রহণ করা হবে।
- ২. স্বাস্থ্যসেবা বিভাগ কর্তৃক সময়ে সময়ে জারিকৃত স্বাস্থ্যবিধি এবং শারীরিক ও সামাজিক দূরত্ব কঠোরভাবে অনুসরণ করে আদালতের সেরেস্তা/জি.আর শাখায় জামিনের দরখাস্ত এবং অন্যান্য অতীব জরুরী দরখাস্তসমূহ দাখিল করতে হবে। প্রত্যেক দরখাস্তে আইনজীবীর ই-মেইল আইডি এবং মোবাইল ফোন নম্বর উল্লেখ থাকতে হবে।
- ৩. আদালত চলাকালীন সময়ে ভিডিও কনফারেঙ্গিং এর মাধ্যমে শুনানী অনুষ্ঠিত হবে। শুনানী গ্রহণ ও সময় নির্ধারণের জন্য আদালতের দৈনন্দিন কার্যতালিকা ব্যবহার করতে হবে। শুনানীর সময়, তারিখ এবং ভিডিও কনফারেঙ্গ পাটফর্ম এর যে আইডি/লিংক ব্যবহার করা হবে তা সংশ্লিষ্ট আদালত থেকে মোবাইল ফোনের ক্ষুদে বার্তা (SMS), ই-মেইল অথবা অন্য কোনো পদ্ধতিতে পক্ষগণের বিজ্ঞ কৌশুলীকে অবহিত করতে হবে।
- 8. শুনানীর জন্য নির্ধারিত তারিখ আইনজীবী অনলাইনে ভিডিও কনফারেঙ্গিং প্লাটফর্ম জুম (zoom) বা আদালত কর্তৃক নির্ধারিত অন্য কোনো ভিডিও কনফারেঙ্গিং প্লাটফর্ম ব্যবহার করে নির্ধারিত সময়ে আদালতের কার্যক্রমে অংশ্গ্রহণ করবেন। শুনানীর পূর্বে মামলার অপরপক্ষ বা তাঁর আইনজীবীকে আদালতের কার্যক্রমে প্রয়োজনে সংযুক্ত করা যাবে।
- ৫. নিযুক্ত আইনজীবী শুনানী শুরুর ১৫ মিনিট পূর্বে তথ্য-প্রযুক্তি ব্যবহারের মাধ্যমে ভার্চুয়াল পদ্ধতিতে সংযুক্ত হবেন। তিনি যদি শুনানীতে অপর কোন আইনজীবীকে নিয়োজিত করতে বা তাঁর সহায়তা গ্রহণ করতে ইচ্চুক হন, সেক্ষেত্রে তিনি নিজ দায়িত্বে অপর আইনজীবীকে ঐ লিংকটি ক্ষুদে বার্তা (SMS)/ ই-মেইল এর মাধ্যমে প্রেরণ করবেন এবং শুনানীর শুরুতে এ বিষয়টি আদালতকে অবহিত করবেন।
- ৬. কারিগরী সমস্যার কারণে বা কোন পক্ষ বা তদীয় আইনজীবীর অনুপস্থিতির কারণে ধার্য্য তারিখে ভিডিও কনফারেঙ্গিং এর মাধ্যমে শুনানী সম্পন্ন করা সম্ভব না হলে আদালত ভিডিও কনফারেঙ্গিং এর মাধ্যমে শুনানীর নতুন তারিখ ও সময় নির্ধারণ করবে।
- ৭. আদালতের ভিডিও কনফারেঙ্গিং নিয়ন্ত্রণকক্ষ হতে শুনানী শুরুর ১৫ মিনিট পূর্বে ভিডিও কনফারেঙ্গিং ব্যবস্থার কার্যকারিতা পরীক্ষা করতে হবে।
- ৮. আদালতে শুনানী চলাকালে স্ক্রীন শেয়ার অপশন ব্যবহার করে মামলার সংশ্লিষ্ট আইনজীবী আদালতে গুরুত্বপূর্ণ কাগজপত্র প্রদর্শন করতে পারবেন।

- শুনানীর ফলাফল তাৎক্ষনিকভাবে অনলাইনে জানানো সম্ভব না হলে আদালতের দৈনন্দিন কার্যতালিকায় তা প্রকাশ করতে **გ**. হবে। পাশাপাশি জামিন মঞ্জুর করা হলে সংশ্লিষ্ট আইনজীবী আদালত কর্তৃক নির্ধারিত সময়সীমার মধ্যে জামিননামা সম্পাদন ও রিলিজ অর্ডার ফরম পূরণ করে শারীরিক ও সামাজিক দূরত্ব কঠোরভাবে অনুসরণ করে আদালত/ট্রাইব্যুনালের সংশ্লিষ্ট সেরেস্তা/জি.আর শাখায় দাখিল করবেন ।
- বর্তমান উদ্ভূত পরিস্থিতির কারণে জনগণের ন্যায়বিচার প্রাপ্তি নিশ্চিত করার লক্ষ্যে ভার্চুয়াল পদ্ধতি চালু হওয়ায় আদালতের উক্ত কার্যক্রমের সাথে সংশ্লিষ্ট প্রত্যেককে যথাযথ দায়িতুশীল আচরণ করতে হবে। আদালতের ভাবমূর্তির প্রতি লক্ষ্য রেখে ভার্চুয়াল পদ্ধতির কোন অংশ রেকর্ড বা প্রচার করা হলে তা সংশ্লিষ্ট ব্যক্তির দায়িত্ব পালনে অবহেলা বলে গণ্য হবে এবং তার বিরুদ্ধে প্রয়োজনীয় আইনানুগ ব্যবস্থা গ্রহণ করা যাবে।
- ভার্চুয়াল শুনানীর সময়কালে নিরবিচ্ছিন্ন বিদ্যুৎ ও ইন্টারনেট সেবা যেন বিঘ্নিত না হয় সেদিকে লক্ষ্য রাখতে হবে। এ লক্ষ্যে 33. সংশ্লিষ্ট সেবা প্রদানকারী সংস্থা/বিভাগসমূহকে অবহিত করতে হবে।
- শুনানী চলাকালে সংযোগ বিচ্ছিন্ন হলে সংশ্লিষ্ট পক্ষ বা শুনানীতে অংশগ্রহনকারী আইনজীবীকে অবিলম্বে পুনরায় যুক্ত করতে হবে এবং শুনানী পুনরায় শুরু করতে হবে। শুনানী চলাকালে সংশ্লিষ্ট সকলের মোবাইল ফোন নির্বাক (mute) থাকবে এবং শুনানী বাধাগ্রস্থ বা বিলম্বিত হয় এরূপ কোন কিছু করা হতে বিরত থাকতে হবে। ভিডিও কনফারেঙ্গিং এর মাধ্যমে শুনানী চলাকালে পর্যাপ্ত আলোর ব্যবস্থা নিশ্চিত করতে হবে এবং কক্ষটি কোলাহলমুক্ত রাখতে হবে।
- এই নির্দেশনায় উল্লেখ করা হয়নি এমন কোন বিষয় উদ্ভূত হলে আদালত প্রচলিত আইন অনুসারে আদালত পরিচালনা বিষয়ে ٥٥. পদ্ধতি নির্ধারণ করতে পারবেন।
- উল্লেখ্য যে, প্রাদুর্ভূত মহামারী করোনা ভাইরাস (কোভিড-১৯) এর সংক্রমণ রোধকল্পে বিচারক ও আইনজীবীগণসহ সংশ্লিষ্ট ١8. সকলের স্বাস্থ্য সুরক্ষা নিশ্চিত করার জন্য বর্তমানে তথ্য প্রযুক্তি ব্যবহার করে ভার্চুয়াল শুনানীর মাধ্যমে পরিচালিত আদালতের কার্যক্রম একটি সাময়িক ব্যবস্থা মাত্র। পরিস্থিতির উন্নতি হওয়া মাত্রই পূর্ব প্রচলিত পদ্ধতি অনুসরণ করতঃ বিচার কার্যক্রম পরিচালনা সংক্রান্ত নির্দেশনা প্রদান করা হবে ।
- বাংলাদেশের প্রধান বিচারপতি কর্তৃক পরবর্তী নির্দেশ না দেয়া পর্যন্ত এই নির্দেশনা কার্যকর থাকবে। **১**৫.

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ গোলাম রব্বানী) রেজিস্ট্রার হাইকোর্ট বিভাগ ফোন ঃ ৯৫১৪৬৪৬ E-mail: registrar hcd@supremecourt.gov.bd

বাংলাদেশ সুপ্রীম কোর্ট হাইকোর্ট বিভাগ, ঢাকা। (বিচার শাখা)



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জে.

তারিখঃ

২৮ চৈত্র ১৪২৭ বঙ্গাব্দ

১১ এপ্রিল ২০২১ খ্রিস্টাব্দ

বিষয়ঃ তথ্য–প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে জামিন ও অতীব জরুরী ফৌজদারী দরখাস্তসমূহ নিষ্পত্তি করার উদ্দেশ্যে অধস্তন আদালত ও ট্রাইব্যুনালের কার্যক্রম পরিচালনা প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, প্রাদুর্ভূত মহামারী (কোভিড-১৯) এর ব্যাপক বিস্তার রোধকল্পে আগামী ১২ এপ্রিল, ২০২১ খ্রিস্টাব্দ তারিখ থেকে পরবর্তী নির্দেশ না দেয়া পর্যস্ত ভার্চুয়াল উপস্থিতির মাধ্যমে জামিন ও অতীব জরুরী ফৌজদারী দরখাস্তসমূহ নিস্পত্তি করার উদ্দেশ্যে আদালত ও ট্রাইব্যুনালের কার্যক্রম পরিচালনা করতে হবে।

- ২. উদ্ভূত পরিস্থিতিতে উক্ত সময়ে (সাপ্তাহিক ছুটি ও বাংলাদেশ সরকার কর্তৃক ২০২১ খ্রিস্টান্দের বর্ষপঞ্জিতে ঘোষিত ছুটি ব্যতিত) বাংলাদেশের প্রত্যেক জেলার জেলা ও দায়রা জজ, মহানগর এলাকার মহানগর দায়রা জজ, নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনালের বিচারক, শিশু আদালতের বিচারক এবং চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট নিজে অথবা তাঁর নিয়ন্ত্রনাধীন এক বা একাধিক ম্যাজিস্ট্রেট দ্বারা- "আদালত কর্তৃক তথ্য-প্রযুক্তি ব্যবহার আইন, ২০২০" এবং অত্র কোর্ট কর্তৃক জারীকৃত এতদ্সংক্রান্ত বিজ্ঞপ্তি অনুসরণ পূর্বক শুধু জামিন ও অতীব জরুরী ফৌজদারী দরখাস্তসমূহ নিষ্পত্তি করার উদ্দেশ্যে তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে আদালতের কার্যক্রম পরিচালনা করবেন।
- ৩. উদ্ভূত পরিস্থিতিতে বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগ হতে প্রদত্ত জামিন আদেশের ক্ষেত্রে চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট এর নিকট জামিন নামা দাখিল করতে হবে।
- 8. এছাড়াও সাংবিধানিক বাধ্যবাধকতায় প্রত্যেক চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতে এক বা একাধিক ম্যাজিস্ট্রেট যথাযথ স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে দায়িত্বপালন করবেন।
- ৫. এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেয়া পর্যন্ত বলবৎ থাকবে।

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জে.

২৯ চৈত্র ১৪২৭ বঙ্গাব্দ ১২ এপ্রিল ২০২১ খ্রিস্টাব্দ

বিষয়: দেশের অধস্তন আদালত ওট্রাইব্যুনালে জামিন শুনানীকালে এবং মামলার অন্যান্য কার্যক্রমে কারাগার হতে হাজতী আসামিদের আদালত কক্ষে হাজির না করা প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনাভাইরাস (কোভিড-১৯) জনিত উদ্ভূত পরিস্থিতিতে জামিন শুনানীকালে এবং মামলার অন্যান্য কার্যক্রমে কারাগার হতে হাজতী আসামিদের আদালতে হাজির করা অত্যন্ত ঝুঁকিপূর্ণ। বর্ণিতাবস্থায়, জামিন শুনানীকালে এবং মামলার অন্যান্য কার্যক্রমে হাজতী আসামিদের কারাগার হতে প্রিজনভ্যান বা অন্য কোনভাবে আদালত কক্ষে হাজির না করে কারাগারে রেখে জামিন শুনানী করতে হবে। অন্যান্য ক্ষেত্রে প্রয়োজনে মামলার কার্যক্রম মুলতবি করতে হবে।

- ০২. এমতাবস্থায়, পরবর্তী নির্দেশনা না দেওয়া পর্যন্ত দেশের অধন্তন আদালত ও ট্রাইব্যুনালে জামিন শুনানীকালে এবং মামলার অন্যান্য কার্যক্রমে হাজতী আসামিদের কারাগার হতে প্রিজনভ্যান বা অন্য কোনভাবে আদালত কক্ষে হাজির না করার নির্দেশ প্রদান করা হলো।
- ০৩. উল্লেখ্য, হাজতী আসামীর রিমাভ শুনানীর ক্ষেত্রে সংশ্লিষ্ট কারাগারে ভিডিও কনফারেন্সের লিংক প্রেরণ করে শুনানী গ্রহণকারী ম্যাজিস্ট্রেট আসামীকে কারাগার কর্তৃপক্ষের সহযোগিতায় ভার্চুয়ালি দেখে রিমান্ড শুনানী করতে পারবেন।
- এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবৎ থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ গোলাম রব্বানী) রেজিস্ট্রার হাইকোর্ট বিভাগ ফোন ঃ ৯৫১৪৬৪৬ E-mail: registrar hcd@supremecourt.gov.bd

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জে.

৩০ চৈত্ৰ ১৪২৭ বঙ্গাব্দ ১৩ এপ্রিল ২০২১ খ্রিস্টাব্দ

বিষয়: করোনা ভাইরাসজনিত রোগ (কোভিড-১৯) এর বিস্তার রোধকল্পে অধস্তন আদালত ও ট্রাইব্যুনালের স্বাভাবিক কার্যক্রম বন্ধ রেখে তথ্য-প্রযুক্তি ব্যবহার করে ভার্চয়াল উপস্থিতির মাধ্যমে সীমিত পরিসরে বিচারিক কার্যক্রম পরিচালনা প্রসঙ্গে।

দেশব্যাপী করোনা ভাইরাসজনিত রোগ (কোভিড-১৯) এর বিস্তার রোধকল্পে মন্ত্রিপরিষদ বিভাগ কর্তৃক ১২ এপ্রিল ২০২১ তারিখের ০৪.০০.০০০০.৫১৪.১৬.০০৩.২০.১২০ নং প্রজ্ঞাপনমূলে সকল সরকারি, আধাসরকারি, স্বায়ত্বশাসিত ও বেসরকারি অফিস/আর্থিক প্রতিষ্ঠান আগামী ১৪ এপ্রিল ২০২১ খ্রিস্টাব্দ তারিখ ভোর ৬:০০ হতে ২১ এপ্রিল ২০২১ খ্রিস্টাব্দ তারিখ মধ্যরাত পর্যন্ত বন্ধ রাখাসহ সার্বিক কার্যাবলি/চলাচলে সরকার কর্তৃক বিধিনিষেধ আরোপ করা হয়েছে। উদ্ভূত পরিস্থিতিতে দেশের অধস্তন আদালত ওট্রাইব্যুনালের স্বাভাবিক কার্যক্রম বন্ধ রেখে তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে সীমিত পরিসরে বিচারিক কার্যক্রম পরিচালনা করতে হবে।

- ০২. এমতাবস্থায়, আদালতের স্বাভাবিক কার্যক্রম বন্ধ রেখে হাইকোর্ট বিভাগ কর্তৃক জারিকৃত বিগত ১১ এপ্রিল ২০২১ খ্রিস্টাব্দ তারিখের বিজ্ঞপ্তি নং-১০ এর ধারাবাহিকতায় শুধু জামিন ও অতীব জরুরী ফৌজদারী দরখাস্তসমূহ তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে নিষ্পত্তি করার জন্য দেশের প্রত্যেক জেলার জেলা ও দায়রা জজ. মহানগর এলাকার মহানগর দায়রা জজ, নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনালের বিচারক, শিশু আদালতের বিচারক এবং চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/ চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট ও ক্ষেত্রমত তাঁর নিয়ন্ত্রনাধীন ম্যাজিস্ট্রেট-কে নির্দেশ প্রদান করা হলো। এ সময়ে আদালত সংশ্লিষ্ট শুধু অত্যাবশ্যকীয় কর্মচারীগণ উপস্থিত থাকবেন।
- পরবর্তী নির্দেশ না দেওয়া পর্যন্ত এই আদেশ বলবৎ থাকরে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ গোলাম রব্বানী) রেজিস্টার হাইকোর্ট বিভাগ ফোন ঃ ৯৫১৪৬৪৬

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বিজ্ঞপ্তি নং- ১৪/২০২১

জে.

০৯ বৈশাখ ১৪২৭ বঙ্গাব্দ ২২ এপ্রিল ২০২১ খ্রিস্টাব্দ

স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে দেওয়ানী ও ফৌজদারী আপীল দায়ের এবং The Negotiable Instruments বিষয়ঃ Act, 1881 (Act No. XXIV of 1881) এর ১৩৮ ধারার অধীন মামলা দায়ের প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে দেওয়ানী ও ফৌজদারী আপীল এবং The Negotiable Instruments Act, 1881 এর ১৩৮ ধারার অধীন মামলা সংশ্লিষ্ট সেরেস্তায় দায়ের করা যাবে। ক্ষেত্রমতে দেওয়ানী ও ফৌজদারী আপীলের গ্রহণযোগ্যতা শুনানীসহ এতদুসংক্রান্ত জরুরী দরখান্ত ভার্চুয়াল উপস্থিতিতে শুনানী করা যাবে। The Negotiable Instruments Act, 1881 এর ১৩৮ ধারার অধীন দায়েরকৃত মামলায় শারীরিক উপস্থিতিতে সংশ্লিষ্ট ম্যাজিস্ট্রেট The Code of Criminal Procedure, 1898 (Act No.V of 1898) এর ২০০ ধারার অধীন জবানবন্দি গ্রহণ করবেন।

০২. এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবৎ থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ গোলাম রব্বানী) রেজিস্টার হাইকোর্ট বিভাগ ফোন ঃ ৯৫১৪৬৪৬

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বিজ্ঞপ্তি নং- ১৬/২০২১

জে.

তারিখঃ

১৪ বৈশাখ ১৪২৭ বঙ্গাব্দ

২৭ এপ্রিল ২০২১ খ্রিস্টাব্দ

বিষয় : দেশের অধস্তন আদালত ও ট্রাইব্যুনালসমূহ কর্তৃক প্রদত্ত আদেশের ফটো-সার্টিফাইড কপি প্রদান প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনাভাইরাস (কোভিড-১৯) জনিত উদ্ভূত পরিস্থিতিতে দেশের অধস্তন আদালত ও ট্রাইব্যুনালসমূহ কর্তৃক প্রদন্ত আদেশের ফটোকপি যথাযথ কোর্ট ফি পরিশোধ সাপেক্ষে সংশ্লিষ্ট বেঞ্চ সহকারী দ্বারা প্রমাণীকৃত (authenticated) এবং জেলা জজ/মহানগর দায়রা জজ/চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট কর্তৃক মনোনীত বিচারক/ম্যাজিস্ট্রেট বা ক্ষেত্রমত সংশ্লিষ্ট আদালত/ট্রাইব্যুনালের বিচারক কর্তৃক পৃষ্ঠাংকনের (endorse) পর ফটো-সার্টিফাইড কপি হিসেবে গণ্য হবে।

- ২ উক্তরূপে প্রমাণীকৃত (authenticated) ও পৃষ্ঠাঙ্কিত (endorsed) আদালতের সংশ্লিষ্ট আদেশের ফটো-সার্টিফাইড কপি সংগ্রহ করে মামলার পক্ষগণ উচ্চতর আদালতে দাখিল করতে পার্বেন।
- এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেয়া পর্যন্ত বলবৎ থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/(মোঃ আলী আকবর)
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জে.

১৫ বৈশাখ ১৪২৭ বঙ্গাব্দ ২৮ এপ্রিল ২০২১ খ্রিস্টাব্দ

বিষয়: তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবংট্রাইব্যুনালসমূহে অতীব জরুরী বিষয়সমূহ শুনানী ও নিষ্পত্তিকরণ এবং মামলা দায়ের সংক্রান্ত ।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনাভাইরাস জনিত উদ্ভূত পরিস্থিতিতে আগামী ১৫ জুলাই ২০২১ খ্রিস্টাব্দ হতে পরবর্তী নির্দেশ না দেওয়া পর্যন্ত শারীরিক উপস্থিতি ব্যতিরেকে তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে দেশের অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহ "আদালত কর্তৃক তথ্য-প্রযুক্তি ব্যবহার আইন, ২০২০" এবং এই কোর্ট কর্তৃক জারীকৃত এতদ্সংক্রান্ত বিজ্ঞপ্তি অনুসরণপূর্বক অতীব জরুরী দরখাস্তসমূহ শুনানী ও নিষ্পত্তি করবেন।

- স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে অধস্তন দেওয়ানী আদালতসমূহ এবং চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ ঽ. মেট্রোপলিটন ম্যাজিস্ট্রেট এর অধীনস্থ আদালতসমূহে মামলা দায়ের করা যাবে।
- দায়েরকৃত মামলায় সংশ্লিষ্ট ম্যাজিস্ট্রেট শারীরিক উপস্থিতিতে The Code of Criminal Procedure, 1898 (Act **O**. No.V of 1898) এর ২০০ ধারার অধীন জবানবন্দি গ্রহণ করবেন।
- এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবং থাকবে। 8.

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোনঃ ৯৫৬২৭৮৫ E-mail: rg@supremecourt.gov.bd



বিজ্ঞপ্তি নং- ১৮/২০২১

জে.

তারিখঃ — ১৯ বৈশাখ ১৪২৭ বঙ্গাব্দ ০২ মে ২০২১ খ্রিস্টাব্দ

বিষয়ঃ করোনা ভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে জামিন ও সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বর্ধিতকরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে, যে সকল মামলায় আসামীকে নির্দিষ্ট সময় পর্যন্ত জামিন প্রদান করা হয়েছে বা যে সকল মামলায় উচ্চ আদালত হতে অধন্তন আদালতে নির্দিষ্ট সময়ের মধ্যে আত্মসমর্পণের শর্তে জামিন প্রদান করা হয়েছে বা যে সকল মামলায় নির্দিষ্ট সময়ের জন্য অন্তর্বর্তীকালীন আদেশ প্রদান করা হয়েছে সে সকল মামলার জামিন এবং সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগের বিচার শাখা কর্তৃক জারিকৃত বিগত ১৮ এপ্রিল ২০২১ খ্রিঃ তারিখের বিজ্ঞপ্তি নং- ১৩/২০২১ এর ধারাবাহিকতায় আগামী ০৪ (চার) সপ্তাহ পর্যন্ত বর্ধিত হয়েছে মর্মে গণ্য হবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে
স্বাঃ/(মোঃ আলী আকবর)
রেজিস্ট্রার জেনারেল
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বিজ্ঞপ্তি নং- ১৯/২০২১

জে.

১৯ বৈশাখ ১৪২৭ বঙ্গাব্দ ০২ মে ২০২১ খ্রিস্টাব্দ

নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনাল/মানব পাচার অপরাধ দমন ট্রাইব্যুনাল/সাইবার ট্রাইব্যুনালসমূহে শারীরিক উপস্থিতিতে বিষয়: নালিশি মামলা দায়ের প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে. করোনাভাইরাস (কোভিড-১৯) জনিত উদ্ভূত পরিস্থিতিতে স্বাস্থ্যবিধি এবং শারীরিক ও সামাজিক দূরত্ব কঠোরভাবে অনুসরণ করে নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনাল/মানব পাচার অপরাধ দমন ট্রাইব্যুনাল/সাইবার ট্রাইব্যুনালসমূহে নালিশি মামলা দায়ের করা যাবে। এতদ্বিষয়ে সংশ্লিষ্ট বিচারক শারীরিক উপস্থিতিতে অভিযোগকারীর জবানবন্দি গ্রহণ করবেন এবং এজলাস কক্ষে স্বাস্থ্যবিধি প্রতিপালনসহ সামাজিক দূরত্ব বজায় নিশ্চিতকরণে প্রয়োজনীয় পদ্ধতি নির্ধারণ করবেন।

০২. এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবং থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোনঃ ৯৫৬২৭৮৫ E-mail: rg@supremecourt.gov.bd



বিজ্ঞপ্তি নং- ২০/২০২১

জে.

বিষয়: অধস্তন দেওয়ানী আদালতে শারীরিক উপস্থিতিতে সাকসেশন মামলা শুনানী ও নিষ্পত্তি প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনাভাইরাস (কোভিড-১৯) জনিত উদ্ভূত পরিস্থিতিতে স্বাস্থ্যবিধি এবং শারীরিক ও সামাজিক দূরত্ব কঠোরভাবে অনুসরণ করে অধস্তন দেওয়ানী আদালতে শারীরিক উপস্থিতিতে সাকসেশন মামলা শুনানী ও নিষ্পত্তি করা যাবে।

- ০২. সংশ্লিষ্ট বিচারক স্বাস্থ্যবিধি প্রতিপালনপূর্বক সামাজিক ও শারীরিক দূরত্ব বজায় রেখে প্রয়োজনীয় সাক্ষ্য গ্রহণপূর্বক সাকসেশন মামলাসমূহ চূড়ান্তভাবে নিষ্পত্তি করবেন।
- ০৩. এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবৎ থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/(মোঃ আলী আকবর)
রেজিস্ট্রার জেনারেল
বাংলাদেশ সুপ্রীম কোর্ট
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বিজ্ঞপ্তি নং- ২১/২০২১

জে.

০৮ জ্যৈষ্ঠ ১৪২৭ বঙ্গাব্দ ২২ মে ২০২১ খ্রিস্টাব্দ

বিষয়: চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালত এবং নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনাল/মানব পাচার অপরাধ দমন ট্রাইব্যুনাল/সাইবার ট্রাইব্যুনালসমূহে ফৌজদারী মামলায় অভিযুক্ত ব্যক্তি/ব্যক্তিগণের আত্মসমর্পণ দরখাস্ত শারীরিক উপস্থিতিতে গুনানি প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, শারীরিক ও সামাজিক দূরত্ব অনুসরণ করে ফৌজদারী মামলায় অভিযুক্ত ব্যক্তি/ব্যক্তিগণ চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালত এবং নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনাল/মানব পাচার অপরাধ দমন ট্রাইব্যুনাল/সাইবার ট্রাইব্যুনালসমূহে আত্মসমর্পণ করতে পারবেন। এতদ্বিষয়ে চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালত এবং নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনাল/মানব পাচার অপরাধ দমন ট্রাইব্যুনাল/সাইবার ট্রাইব্যুনাল-এর বিচারক এজলাস কক্ষে স্বাস্থ্যবিধি প্রতিপালনসহ শারীরিক ও সামাজিক দূরত্ব বজায় নিশ্চিতকরণে প্রয়োজনীয় কার্যপদ্ধতি নির্ধারণ করবেন।

- ০২. চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালত এবং নারী ও শিশু নির্যাতন দমন ট্রাইব্যুনাল/মানব পাচার অপরাধ দমন ট্রাইব্যুনাল/সাইবার ট্রাইব্যুনালসমূহে আত্মসমর্পণ আবেদন দাখিল এবং শুনানি কার্যক্রমের পদ্ধতি ও সময়সূচি এমনভাবে নির্ধারণ ও সমন্বয় করতে হবে যাতে আদালত প্রাঙ্গণে এবং আদালত ভবনে কোনরূপ জনসমাগম না ঘটে।
- ০৩. আত্মসমর্পণ দরখাস্ত শারীরিক উপস্থিতিতে শুনানির সময় অভিযুক্ত ব্যক্তি এবং তার পক্ষে নিযুক্ত আইনজীবী ব্যতীত অন্য কোনো আইনজীবী এজলাস কক্ষে অবস্থান করবেন না। একটি আত্মসমর্পণ দরখাস্ত শুনানি শেষে সংশ্লিষ্ট আইনজীবী এজলাস কক্ষ ত্যাগ করার পর ম্যাজিস্ট্রেট/বিচারক পরবর্তী আত্মসমর্পণের দরখাস্ত শুনানির জন্য গ্রহণ করবেন।
- ০৪. এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবৎ থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোনঃ ৯৫৬২৭৮৫ E-mail: rg@supremecourt.gov.bd



বিজ্ঞপ্তি নং- ২২/২০২১

জে.

তারিখঃ

১৬ জ্যৈষ্ঠ ১৪২৭ বঙ্গাব্দ

৩০ মে ২০২১ খ্রিস্টাব্দ

বিষয়ঃ করোনা ভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে জামিন ও সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বর্ধিতকরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে, যে সকল মামলায় আসামীকে নির্দিষ্ট সময় পর্যন্ত জামিন প্রদান করা হয়েছে বা যে সকল মামলায় উচ্চ আদালত হতে অধন্তন আদালতে নির্দিষ্ট সময়ের মধ্যে আত্মসমর্পণের শর্তে জামিন প্রদান করা হয়েছে বা যে সকল মামলায় নির্দিষ্ট সময়ের জন্য অন্তর্বর্তীকালীন আদেশ প্রদান করা হয়েছে সে সকল মামলার জামিন এবং সকল প্রকার অন্তর্বর্তীকালীন আদেশ সমূহের কার্যকারিতা বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগের বিচার শাখা কর্তৃক জারিকৃত বিগত ০২ মে ২০২১ খ্রিঃ তারিখের বিজ্ঞপ্তি নং- ১৮/২০২১ এর ধারাবাহিকতায় আগামী ০৪ (চার) সপ্তাহ পর্যন্ত বর্ধিত হয়েছে মর্মে গণ্য হবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে
শাঃ/(মোঃ আলী আকবর)
রেজিস্ট্রার জেনারেল
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বিজ্ঞপ্তি নং- ২৩/২০২১

জে.

১৮ জ্যৈষ্ঠ ১৪২৭ বঙ্গাব্দ ০১ জুন ২০২১ খ্রিস্টাব্দ

বিষয়: তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহে সকল প্রকার দেওয়ানী ও ফৌজদারী আপীল/রিভিশন শুনানী ও নিষ্পত্তি এবং দেওয়ানী মামলায় যুক্তিতর্ক শুনানী ও রায় প্রচার সংক্রান্ত।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনাভাইরাস (কোভিড-১৯) জনিত উদ্ভূত পরিস্থিতিতে দেশের অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহ "আদালত কর্তৃক তথ্য-প্রযুক্তি ব্যবহার আইন, ২০২০" এবং এতৎসংক্রান্ত জারীকৃত বিজ্ঞপ্তি অনুসরণপূর্বক ভার্চুয়াল উপস্থিতিতে সকল প্রকার দেওয়ানী ও ফৌজদারী আপীল/রিভিশন মামলা শুনানীঅন্তে নিষ্পত্তি করবেন এবং পক্ষগণের উপস্থিতি বা সাক্ষ্যগ্রহণের আবশ্যকতা নেই এরূপ দেওয়ানী আপীল/রিভিশন/রিভিউ এবং দেওয়ানী মোকদ্দমা/বিবিধ মামলা নিষ্পত্তি করবেন।

- ০২. ইতোমধ্যে যে সকল দেওয়ানী মোকদ্দমায় যুক্তিতর্ক শুনানী বা রায় প্রচারের জন্য ধার্য তারিখ অতিক্রান্ত হয়েছে সে সকল মোকদ্দমা/বিবিধ মামলায় পুনরায় তারিখ ধার্যক্রমে দ্রুত নিষ্পত্তি করবেন।
- ০৩. সংশ্লিষ্ট আদালত/ট্রাইব্যুনাল পুনঃধার্যকৃত তারিখ সংবলিত মামলাসমূহের তালিকার কপি আদালতের নোটিশ বোর্ডে এবং জেলা আইনজীবী সমিতির নোটিশ বোর্ডে প্রচারের প্রয়োজনীয় ব্যবস্থা গ্রহণ করবেন।
- ০৪. এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবৎ থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোন ঃ ৯৫৬২৭৮৫ E-mail: rg@supremecourt.gov.bd

বাংলাদেশ সুপ্রীম কোর্ট হাইকোর্ট বিভাগ, ঢাকা। (বিচার শাখা)



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জে,

২৭ জ্যৈষ্ঠ ১৪২৭ বঙ্গাব্দ ১০ জুন ২০২১ খ্রিস্টাব্দ

অধস্তন সকল দেওয়ানী আদালতে শারীরিক উপস্থিতিতে সকল প্রকার জরুরী দরখাস্ত শুনানী প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, স্বাস্থ্যবিধি অনুসরণপূর্বক অধস্তন সকল দেওয়ানী আদালতে শারীরিক উপস্থিতিতে সকল প্রকার জরুরী দরখাস্ত শুনানী করা যাবে।

০২. এই আদেশ অবিলম্বে কার্যকর হবে এবং পরবর্তী নির্দেশ না দেওয়া পর্যন্ত বলবৎ থাকবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোন ঃ ৯৫৬২৭৮৫

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জে.

০৫ আষাঢ় ১৪২৭ বঙ্গাব্দ ১৯ জুন ২০২১ খ্রিস্টাব্দ

বিষয়: অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহে শারীরিক উপস্থিতিতে স্বাভাবিক বিচার কার্যক্রম পরিচালনা

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, অধস্তন সকল দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহে আগামী ২০ জুন ২০২১ খ্রিঃ তারিখ হতে শারীরিক উপস্থিতিতে স্বাভাবিক কার্যক্রম পরিচালিত হবে ।

- স্থানীয় প্রশাসন কর্তৃক কোনো জেলা সদর/মহানগরে করোনা ভাইরাসজনিত রোগ (কোভিড-১৯) এর বিস্তার রোধকল্পে সার্বিক কার্যাবলি/চলাচলে বিধি-নিষেধ জারি করা হলে সংশ্লিষ্ট জেলার/মহানগরের দেওয়ানী ও ফৌজদারী আদালত এবং ্টাইব্যুনালসমূহে শারীরিক উপস্থিতি ব্যতিরেকে ভার্চুয়াল পদ্ধতিতে জামিন ও জরুরী দরখাস্ত শুনানী করা যাবে।
- দেওয়ানী ও ফৌজদারী মামলায় যে ক্ষেত্রে আদালতে পক্ষগণের উপস্থিতির আবশ্যকতা নেই সেক্ষেত্রে পক্ষগণের পরিবর্তে **9**. সংশ্লিষ্ট আইনজীবী আদালতে হাজিরা দাখিল করবেন। জামিন শুনানি এবং আমলী আদালতে ধার্য তারিখে হাজিরার জন্য কারাগারে থাকা অভিযুক্ত ব্যক্তিকে কারাগার হতে প্রিজনভ্যান বা অন্য কোনভাবে আদালত প্রাঙ্গণে বা এজলাস কক্ষে হাজির করার আবশ্যকতা নেই।
- আদালতের বিচারিক কর্মঘন্টার প্রথম ভাগে (সকাল ৯:৩০ ঘটিকা হতে দুপুর ১:১৫ ঘটিকা) সাক্ষ্য গ্রহণ ও যুক্তিতর্ক/আপীল/ 8. রিভিশন/রিভিউ শুনানী এবং দ্বিতীয় ভাগে (দুপুর ২:০০ ঘটিকা হতে বিকাল ৪:৩০ ঘটিকা) জামিন সংক্রান্ত বিবিধ মামলা. জামিনের দরখাস্ত ও অস্থায়ী নিষেধাজ্ঞার দরখাস্তসহ অন্যান্য দরখাস্ত শুনানীর জন্য সংশ্লিষ্ট সকলকে নির্দেশ প্রদান করা হলো।
- অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহের স্বাভাবিক কার্যক্রম পরিচালনার ক্ষেত্রে আদালত প্রাঙ্গণ ₢. এবং এজলাস কক্ষে সুরক্ষামূলক ব্যবস্থা গ্রহণ সংক্রান্তে বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগ কর্তৃক জারিকৃত ৩০/০৭/২০২০খ্রিঃ তারিখের ১৩ (জে) নং বিজ্ঞপ্তিতে বর্ণিত নিদের্শনা প্রতিপালনের জন্য সংশ্লিষ্ট সকলকে নির্দেশ প্রদান করা হলো।

সংযুক্তিঃ

বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগ কর্তৃক জারিকৃত ৩০/০৭/২০২০খ্রিঃ তারিখের ১৩ (জে) নং বিজ্ঞপ্তি।

> বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোন ঃ ৯৫৬২৭৮৫ E-mail: rg@supremecourt.gov.bd



বিজ্ঞপ্তি নং- ২৬/২০২১

জে.

তারিখঃ

১৩ আষাঢ় ১৪২৭ বঙ্গাব্দ

২৭ জুন ২০২১ খ্রিস্টাব্দ

বিষয়ঃ করোনা ভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে জামিন ও সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বর্ধিতকরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে, যে সকল মামলায় আসামীকে নির্দিষ্ট সময় পর্যন্ত জামিন প্রদান করা হয়েছে বা যে সকল মামলায় উচ্চ আদালত হতে অধন্তন আদালতে নির্দিষ্ট সময়ের মধ্যে আত্মসমর্পণের শর্তে জামিন প্রদান করা হয়েছে বা যে সকল মামলায় নির্দিষ্ট সময়ের জন্য অন্তর্বর্তীকালীন আদেশ প্রদান করা হয়েছে সে সকল মামলার জামিন এবং সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগের বিচার শাখা কর্তৃক জারিকৃত বিগত ৩০ মে ২০২১ খ্রিঃ তারিখের বিজ্ঞপ্তি নং- ২২/২০২১ এর ধারাবাহিকতায় পরবর্তী ০১ (এক) মাস পর্যন্ত বর্ধিত হয়েছে মর্মে গণ্য হবে।

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বিজ্ঞপ্তি নং- ২৭/২০২১

জে.

তারিখঃ

৩০ জুন ২০২১ খ্রিস্টাব্দ

বিষয়ঃ করোনাভাইরাসজনিত উদ্ভূত পরিস্থিতিতে সকল অধস্তন আদালত/ট্রাইব্যুনাল এর কার্যক্রম পরিচালনা না করা এবং পরবর্তীতে মামলা/আপীল দায়ের প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনাভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে আগামী ০১/০৭/২০২১ খ্রি. তারিখ হতে ০৭/০৭/২০২১ খ্রি. পর্যন্ত সকল অধন্তন আদালত/ট্রাইব্যুনাল এর কার্যক্রম পরিচালনা না করার বিষয়ে সিদ্ধান্ত গ্রহণ করা হয়েছে। তবে, সাংবিধানিক বাধ্যবাধকতায় প্রত্যেক চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতে একজন ম্যাজিস্ট্রেট এবং ঢাকা, চট্টগ্রাম এবং রাজশাহী জেলা/মহানগরে চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতে এক বা একাধিক ম্যাজিস্ট্রেট যথায়থ স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে দায়িত্ব পালন করবেন।

- ০২. আইনের সহিত সংঘাতে জড়িত শিশুকে উক্ত সময়ে সাংবিধানিক বাধ্যবাধকতায় শারীরিক উপস্থিতিতে দায়িত্ব পালনরত ম্যাজিস্ট্রেট এর নিকট উপস্থাপন করা যাবে।
- ০৩. দি নেগোশিয়েবল ইঙ্গট্রুমেন্টস অ্যাক্ট, ১৮৮১ সহ যে সকল আইনে মামলা/আপীল দায়েরের ক্ষেত্রে সুনির্দিষ্ট সময়সীমা নির্ধারিত আছে, সে সকল আইনের অধীনে মামলা/আপীল শারীরিক উপস্থিতিতে আদালতের কার্যক্রম শুরু হওয়ার ৭ (সাত) দিনের মধ্যে তামাদির মেয়াদ অক্ষুণ্ন গণ্যে দায়ের করা যাবে।
- ০৪. অধস্তন আদালতে কর্মরত সকল বিচারক এবং আদালতের কর্মকর্তা-কর্মচারীকে কর্মস্থল ত্যাগ না করার জন্য নির্দেশ প্রদান করা হলো। উক্ত সময়ে জরুরী প্রয়োজন ব্যতিরেকে বিজ্ঞ আইনজীবী এবং বিচারপ্রার্থীদের আদালত প্রাঙ্গণে না আসার জন্য নির্দেশক্রমে অনুরোধ করা হলো।
- ০৫. এতদ্বারা শারীরিক উপস্থিতিতে স্বাভাবিক বিচার কার্যক্রম পরিচালনা সংক্রান্ত বিগত ১৯ জুন ২০২১ খ্রিষ্টাব্দের বিজ্ঞপ্তি নং- ২৫/২০২১ এর কার্যকারিতা স্থাগিত করা হলো।

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বিজ্ঞপ্তি নং- ২৮/২০২১

জে.

বিষয়: করোনাভাইরাসজনিত উদ্ভূত পরিস্থিতিতে সকল অধস্তন আদালত/ট্রাইব্যুনাল এর কার্যক্রম পরিচালনা না করা এবং পরবর্তীতে মামলা/আপীল দায়ের সম্পর্কিত বিগত ৩০.০৬.২০২১ খ্রিঃ তারিখের বিজ্ঞপ্তি নম্বর ২৭/২০২১ জে-এর কার্যকারিতা বর্ধিতকরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, করোনাভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে বিগত ৩০.০৬.২০২১ খ্রিঃ তারিখের বিজ্ঞপ্তি নম্বর ২৭/২০২১ জে-এর কার্যকারিতা আগামী ১৪ জুলাই ২০২১ খ্রিঃ পর্যন্ত বর্ধিত করা হলো।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে
স্বাঃ/(মোঃ আলী আকবর)
রেজিস্ট্রার জেনারেল
বাংলাদেশ সুপ্রীম কোর্ট
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বিজ্ঞপ্তি নং- ২৯/২০২১

জে.

৩০ আষাঢ় ১৪২৭ বঙ্গাব্দ তারিখঃ ১৪ জুলাই ২০২১ খ্রিস্টাব্দ

তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহে সকল বিষয়: প্রকার শুনানী (সাক্ষ্য গ্রহণ ব্যতীত), শারীরিক উপস্থিতিতে মামলা দায়ের, সাকসেশন ও অভিভাবকত্ব (Guardianship) নির্ধারণ বিষয়ক মামলা শুনানী এবং ফৌজদারী মামলায় অভিযুক্ত ব্যক্তি/ব্যক্তিগণের আত্মসমর্পণ দরখাস্ত শারীরিক উপস্থিতিতে শুনানী প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে. করোনাভাইরাসজনিত উদ্ভূত পরিস্থিতিতে আগামী ১৫ জুলাই ২০২১ খ্রিস্টাব্দ হতে ২২ জুলাই ২০২১ খ্রিস্টাব্দ পর্যন্ত শারীরিক উপস্থিতি ব্যতিরেকে তথ্য-প্রযুক্তি ব্যবহার করে ভার্চুয়াল উপস্থিতির মাধ্যমে দেশের অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহ "আদালত কর্তৃক তথ্য-প্রযুক্তি ব্যবহার আইন, ২০২০" এবং এই কোর্ট কর্তৃক জারীকৃত এতদসংক্রান্ত বিজ্ঞপ্তি অনুসরণপূর্বক সকল প্রকার দেওয়ানী ও ফৌজদারী দরখান্ত/আপীল/রিভিশন/বিবিধ মামলাসহ সকল প্রকার শুনানী গ্রহণ (সাক্ষ্য গ্রহণ ব্যতীত) ও নিষ্পত্তি করবেন ।

- ০২. স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে অধস্তন দেওয়ানী ও ফৌজদারী আদালত এবংট্রাইব্যুনালসমূহে মামলা দায়ের করা যাবে। স্বাস্থ্যবিধি প্রতিপালনপূর্বক সামাজিক ও শারীরিক দূরত্ব বজায় রেখে শারীরিক উপস্থিতিতে সাক্ষ্য গ্রহণপূর্বক সাকসেশন ও অভিভাবকত্ব (Guardianship) নির্ধারণ বিষয়ক মামলা শুনানী ও নিষ্পত্তি করা যাবে।
- ০৩. ফৌজদারী মামলায় অভিযুক্ত ব্যক্তি/ব্যক্তিগণ অধস্তন ফৌজদারী আদালত এবং ট্রাইব্যুনালসমূহে শারীরিক উপস্থিতিতে আত্নসমর্পণ আবেদন দাখিল করতে পারবেন। এক্ষেত্রে শুনানী কার্যক্রমের পদ্ধতি ও সময়সূচি এমনভাবে নির্ধারণ ও সমন্বয় করতে হবে যাতে আদালত প্রাঙ্গণে এবং আদালত ভবনে কোনরূপ জনসমাগম না ঘটে। আত্মসমর্পণ দরখাস্ত শারীরিক উপস্থিতিতে শুনানীর সময় অভিযুক্ত ব্যক্তি এবং তার পক্ষে নিযুক্ত আইনজীবী ব্যতীত অন্য কোনো আইনজীবী এজলাস কক্ষে অবস্থান করবেন না। একটি আত্মসমর্পণ দরখাস্ত শুনানী শেষে সংশ্লিষ্ট আইনজীবী এজলাস কক্ষ ত্যাগ করার পর বিচারক/ম্যাজিস্ট্রেট পরবর্তী আত্মসমর্পণের দরখাস্ত শুনানীর জন্য গ্রহণ করবেন।
- অধস্তন আদালত ও ট্রাইব্যুনালে জামিন শুনানীকালে এবং মামলার অন্যান্য কার্যক্রমে হাজতী আসামীদের কারাগার হতে প্রিজনভ্যান বা অন্য কোনভাবে আদালত কক্ষে হাজির না করার নির্দেশ প্রদান করা হলো। হাজতী আসামীর রিমান্ড শুনানীর ক্ষেত্রে কারাগারে ভিডিও কনফারেন্সের লিংক প্রেরণ করে শুনানী গ্রহণকারী ম্যাজিস্ট্রেট আসামীকে কারাগার কর্তৃপক্ষের সহযোগিতায় ভার্চুয়ালি দেখে রিমান্ড শুনানী করতে পারবেন।
- ০৫. সাংবিধানিক বাধ্যবাধকতায় প্রত্যেক চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট আদালতে এক বা একাধিক ম্যাজিস্ট্রেট যথাযথ স্বাস্থ্যবিধি অনুসরণপূর্বক শারীরিক উপস্থিতিতে দায়িত্ব পালন করবেন।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোন ঃ ৯৫৬২৭৮৫ E-mail: rg@supremecourt.gov.bd

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বিজ্ঞপ্তি নং- ৩০/২০২১

জে.

তারিখঃ

০১ শ্রাবণ ১৪২৭ বঙ্গাব্দ
১৬ জুলাই ২০২১ খ্রিস্টাব্দ

বিষয়: অধস্তন আদালত ও ট্রাইব্যুনালসমূহের বিচারক এবং কর্মকর্তা/কর্মচারীদের কোভিড-১৯ এর ভ্যাকসিন গ্রহণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, অধস্তন আদালত ও ট্রাইব্যুনালসমূহের বিচারক এবং কর্মকর্তা/কর্মচারীদের মধ্যে যারা এখনও কোভিড-১৯ এর ভ্যাকসিন গ্রহণ করেননি তাদেরকে নিবন্ধন সম্পন্ন করে আগামী ৩১/০৭/২০২১ খ্রি. এর মধ্যে কোভিড-১৯ এর ভ্যাকসিন গ্রহণ করার জন্য নির্দেশ প্রদান করা হলো।

০২. বাংলাদেশের প্রত্যেক জেলার জেলা ও দায়রা জজ/মহানগর এলাকার মহানগর দায়রা জজ, চীফ জুডিসিয়াল ম্যাজিস্ট্রেট/চীফ মেট্রোপলিটন ম্যাজিস্ট্রেট অধীনস্থ বিচারক এবং কর্মকর্তা/কর্মচারীদের এবং অন্যান্য ক্ষেত্রে সংশ্লিষ্ট বিচারক তার এবং তার অধীনস্থ কর্মকর্তা/কর্মচারীদের কোভিড-১৯ টিকাদান কার্ড (Vaccination card) এর কপি সংগ্রহপূর্বক ভ্যাকসিন গ্রহণ সংক্রান্ত তথ্যাবলী সংযুক্ত ছক অনুযায়ী আগামী ১২/০৮/২০২১খ্রি. এর মধ্যে সফটকপি scinfocovid19@gmail.com এ এবং হার্ডকপি অত্র কোর্টের রেজিস্ট্রার, হাইকোর্ট বিভাগ এর নিকট প্রেরণ করবেন।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে
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রেজিস্ট্রার জেনারেল
বাংলাদেশ সুপ্রীম কোর্ট
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বিজ্ঞপ্তি নং- ৩২/২০২১

জে.

তারিখঃ — ১১ শ্রাবণ ১৪২৭ বঙ্গাব্দ ২৬ জুলাই ২০২১ খ্রিস্টাব্দ

বিষয়ঃ করোনা ভাইরাস (কোভিড-১৯) এর প্রাদুর্ভাবজনিত উদ্ভূত পরিস্থিতিতে জামিন ও সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বর্ধিতকরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে, যে সকল মামলায় আসামীকে নির্দিষ্ট সময় পর্যন্ত জামিন প্রদান করা হয়েছে বা যে সকল মামলায় উচ্চ আদালত হতে অধন্তন আদালতে নির্দিষ্ট সময়ের মধ্যে আত্মসমর্পণের শর্তে জামিন প্রদান করা হয়েছে বা যে সকল মামলায় নির্দিষ্ট সময়ের জন্য অন্তর্বর্তীকালীন আদেশ প্রদান করা হয়েছে সে সকল মামলার জামিন এবং সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগের বিচার শাখা কর্তৃক জারিকৃত বিগত ২৭ জুন ২০২১ খ্রিঃ তারিখের বিজ্ঞপ্তি নং-২৬/২০২১ জে, এর ধারাবাহিকতায় পরবর্তী ০১ (এক) মাস পর্যন্ত বর্ধিত হয়েছে মর্মে গণ্য হবে।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে
স্বাঃ/(মোঃ গোলাম রব্বানী)
রেজিস্ট্রার
হাইকোর্ট বিভাগ
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বিজ্ঞপ্তি নং- ৩৩/২০২১

জে.

তারিখঃ — ১৪ শ্রাবণ ১৪২৭ বঙ্গাব্দ ২৯ জুলাই ২০২১ খ্রিস্টাব্দ

বিষয়ঃ জাতীয় শোক দিবস যথাযোগ্য মর্যাদায় পালনের লক্ষ্যে ০১ আগস্ট থেকে ৩১ আগস্ট ২০২১ খ্রিস্টাব্দ পর্যন্ত সারাদেশের অধস্তন আদালত/টাইব্যুনালসমূহের বিচারকগণ ও সহায়ক কর্মকর্তা-কর্মচারীগণ কর্তৃক কালো ব্যাজ পরিধান প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে, স্বাধীনতার মহান স্থপতি জাতির পিতা বঙ্গবন্ধু শেখ মুজিবুর রহমান-এর ৪৬তম শাহাদতবার্ষিকীতে যথাযথ মর্যাদায় ও ভাবগম্ভীর পরিবেশে সারাদেশে জাতীয় শোক দিবস পালিত হবে। উক্ত কর্মসূচির অংশ হিসেবে আগামী ০১ আগস্ট থেকে ৩১ আগস্ট ২০২১ খ্রিস্টাব্দ পর্যন্ত সারাদেশের অধস্তন আদালত/টাইব্যুনালসমূহের বিচারকগণ ও সহায়ক কর্মকর্তা-কর্মচারীগণ কালো ব্যাজ পরিধান কর্বেন।

বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে
স্বাঃ/(মোঃ আলী আকবর)
রেজিস্ট্রার জেনারেল
বাংলাদেশ সুপ্রীম কোর্ট
ফোন ঃ ৯৫৬২৭৮৫

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বাংলাদেশ সুপ্রীম কোর্ট হাইকোর্ট বিভাগ, ঢাকা। (বিচার শাখা)



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বিজ্ঞপ্তি নং- ৩৮/২০২১

জে.

১৩ ভাদ্র ১৪২৭ বঙ্গাব্দ ২৮ আগষ্ট ২০২১ খ্রিস্টাব্দ

তারিখঃ

জামিন ও সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বর্ধিতকরণ প্রসঙ্গে।

উপর্যুক্ত বিষয়ে নির্দেশিত হয়ে জানানো যাচ্ছে যে সকল মামলায় আসামীকে নির্দিষ্ট সময় পর্যন্ত জামিন প্রদান করা হয়েছে বা যে সকল মামলায় উচ্চ আদালত হতে অধস্তন আদালতে নির্দিষ্ট সময়ের মধ্যে আত্মসমর্পণের শর্তে জামিন প্রদান করা হয়েছে বা যে সকল মামলায় নির্দিষ্ট সময়ের জন্য অন্তর্বর্তীকালীন আদেশ প্রদান করা হয়েছে সে সকল মামলার জামিন এবং সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিভাগের বিচার শাখা কর্তৃক জারিকৃত বিগত ২৬ জুলাই ২০২১ খ্রিঃ তারিখের বিজ্ঞপ্তি নং- ৩২/২০২১ জে, এর ধারাবাহিকতায় আগামী ০৫ সেপ্টেম্বর ২০২১ খ্রিস্টাব্দ পর্যন্ত বর্ধিত হয়েছে মর্মে গণ্য হবে। পরবর্তীতে জামিন ও সকল প্রকার অন্তর্বর্তীকালীন আদেশসমূহের কার্যকারিতা বর্ধিতকরণের ক্ষেত্রে বিজ্ঞ আইনজীবী সংশ্লিষ্ট আদালতে আবেদন করবেন।

> বাংলাদেশের প্রধান বিচারপতির আদেশক্রমে স্বাঃ/-(মোঃ আলী আকবর) রেজিস্ট্রার জেনারেল বাংলাদেশ সুপ্রীম কোর্ট ফোনঃ ৯৫৬২৭৮৫

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Former Chief Justices of Bangladesh

SL. No.	Name	Duration
1.	Mr. Justice Abu Sadat Mohammad Sayem*	16.12.1972 — 5.11.1975
2.	Mr. Justice Syed A.B. Mahmud Husain*	18.11.1975 — 31.1.1978
3.	Mr. Justice Kemaluddin Hossain*	01.02.1978 — 11.4.1982
4.	Mr. Justice F.K.M. Munim*	12.04.1982 — 30.11.1989
5.	Mr. Justice Badrul Haider Chowdhury*	1.12.1989 — 01.01.1990
6.	Mr. Justice Shahabuddin Ahmed	14.01.1990 — 31.01.1995
7.	Mr. Justice M.H. Rahman*	01.02.1995 — 30.04.1995
8.	Mr. Justice A.T.M Afzal	01.05.1995 — 31.05.1999
9.	Mr. Justice Mustafa Kamal*	01.06.1999 — 31.12.1999
10.	Mr. Justice Latifur Rahman*	01.01.2000 - 28.02.2001
11.	Mr. Justice Mahmudul Amin Choudhury*	01.03.2001 - 17.06.2002
12.	Mr. Justice Mainur Reza Choudhury*	18.06.2002 — 22.06.2003
13.	Mr. Justice K.M. Hasan	23.06.2003 — 26.01.2004
14.	Mr. Justice Syed J.R. Mudassir Husain	27.01.2004 — 28.02.2007
15.	Mr. Justice Md. Ruhul Amin	01.03.2007 — 31.05.2008
16.	Mr. Justice M. M. Ruhul Amin*	01.06.2008 — 22.12.2009
17.	Mr. Justice Md. Tafazzul Islam	23.12.2009 — 07.02.2010
18.	Mr. Justice Mohammad Fazlul Karim	08.02.2010 — 29.09.2010
19.	Mr. Justice A.B.M. Khairul Haque	30.09.2010 — 17.05.2011
20.	Mr. Justice Md. Muzammel Hossain	18.05.2011 — 16.01.2015
21.	Mr. Justice Surendra Kumar Sinha	17.01.2015 — 10.11.2017
22.	Mr. Justice Syed Mahmud Hossain	03.02.2018 — 30.12.2021

^{*} Deceased.

Former Chief Justice of High Court of Bangladesh

SL. No.	Name	Duration
1.	Mr. Justice Ruhul Islam*	13.08.1976 — 22.10.1978

^{*} Deceased.

Former Judges of the Supreme Court of Bangladesh

SL. No	Name	Date of elevation to the HCD	Date of elevation to the AD	Date of retirement
1.	Mr. Justice Abu Sadat Mohammad Sayem *	to the HCD	16.12.1972	05.11.1975
2.	Mr. Justice Abu Sadat Monaninad Sayeni Mr. Justice Syed A. B. Mahmud Husain *	18.01.1972	18.12.1972	31.01.1978
3.	Mr. Justice Kemaluddin Hussain *	18.01.1972	13.08.1976	11.04.1982
4.	Mr. Justice F. K. M. Abdul Munim *			
4. 5.	Mr. Justice F. K. M. Abdul Mullim * Mr. Justice Mohammad Abdullah Jabir *	18.01.1972	13.08.1976	30.11.1989
	Mr. Justice A. F. M. Ahasanuddin Chowdhury *	18.01.1972	17.08.1972	30.06.1975
6.	·	18.01.1972	30.01.1974	01.12.1977
7.	Mr. Justice Dabesh Chandra Bhattacharya *	21.01.1972	13.08.1976	30.09.1979
8.	Mr. Justice Ruhul Islam *	21.01.1972	23.01.1978	01.01.1983
9.	Mr. Justice Kazi Mahabubus Subhan (Justice K.M. Subhan)*	21.01.1972	22.02.1978	16.06.1982 **
10.	Mr. Justice Shahabuddin Ahmed	21.01.1972	16.04.1981	31.01.1995
11.	Mr. Justice Badrul Haider Chowdhury *	26.01.1972	22.08.1978	01.01.1990
12.	Mr. Justice Mohammad Nurul Huda *	28.08.1972		28.02.1977
13.	Mr. Justice Chowdhury A. T. M. Masud *	19.06.1973	21.04.1982	01.04.1986
14.	Mr. Justice Syed Md. Mohsen Ali *	19.06.1973	17.01.1983	01.01.1985
15.	Mr. Justice Abdur Rahman Chowdhury *	24.11.1973		01.09.1983
16.	Mr. Justice A. R. M. Amirul Islam Chowdhury *	24.11.1973		01.03.1996
17.	Mr. Justice Syed Mohammad Hussain *	19.06.1974		08.01.1984
18.	Mr. Justice A. S. Faizul Islam Chowdhury *	24.06.1974		01.06.1982
19.	Mr. Justice Fazlay Hossain Mohammad Habibur Rahman *	20.12.1975		13.12.1993
20.	Mr. Justice Ranadhir Sen *	30.01.1976		01.07.1984
21.	Mr. Justice Abdul Wadud Chowdhury *	02.03.1976		01.11.1984
22.	Mr. Justice Siddiq Ahmed Chowdhury *	02.03.1976		03.03.1979 🗆
23.	Mr. Justice Abdul Momit Chowdhury *	02.03.1976		03.03.1979 🗆
24.	Mr. Justice M.H. Rahman *	08.05.1976	26.12.1985	30.04.1995
25.	Mr. Justice Abdul Matin Khan Chowdhury *	08.05.1976		01.12.1989
26.	Mr. Justice Mohammad Abdul Khaliq *	08.05.1976		02.01.1983
27.	Mr. Justice A. T. M. Afzal	15.04.1977	26.12.1985	31.05.1999
28.	Mr. Justice Sultan Hossain Khan *	13.03.1978		01.01.1990
29.	Mr. Justice Abdul Malek *	13.03.1978		05.02.1980 **
30.	Mr. Justice Mustafa Kamal *	09.04.1979	01.12.1989	31.12.1999
31.	Mr. Justice Rafiqur Rahman	09.04.1979		01.11.1979 **
32.	Mr. Justice Latifur Rahman *	21.11.1979	15.01.1990	28.02.2001
33.	Mr. Justice Md. Altaf Hossain *	21.11.1979		23.10.1985
34.	Mr. Justice Anwarul Hoque Chowdhury *	22.04.1980		01.11.1994
35.	Mr. Justice Mohammad Abdur Rouf	29.01.1982	08.06.1995	01.02.1999
36.	Mr. Justice Aminur Rahman Khan*	29.01.1982		02.06.1990
37.	Mr. Justice Md. Abdul Quddus Chowdhury *	18.01.1983		01.09.1991
38.	Mr. Justice Dalil Uddin Ahmed *	15.07.1983		01.02.1990
39.	Mr. Justice Mohammad Abdul Mottalib *	15.07.1983		14.07.1985 ●
40.	Mr. Justice Syed Mohammad Ali *	15.07.1983		01.08.1993
41.	Mr. Justice Mohammad Ismailuddin Sarker *	30.12.1983	08.06.1995	20.01.1996 🗆 🗆
42.	Mr. Justice Nurul Hoque Bhuiyan *	30.12.1983		01.10.1990
43.	Mr. Justice Syed Misbah Uddin Hossain *	30.12.1983		01.01.1992
44.	Mr. Justice Mohammad Moksudor Rahman *	30.12.1983		26.12.1985 **

^{*} Deceased. ** Date of resignation.

Date of termination.

Date of Death while in office.

Performed as Additional Judge.

SL. No	Name	Date of elevation to the HCD	Date of elevation to the AD	Date of retirement
45.	Mr. Justice Mohammad Sohrab Ali *	30.12.1983		20.10.1990 □□
46.	Mr. Justice Abdul Bari Sarker *	30.05.1984		01.06.1992
47.	Mr. Justice Md. Abdul Jalil *	30.05.1984		01.05.1994
48.	Mr. Justice Mohammad Abdul Wahab	30.05.1984		29.05.1986 •
49.	Mr. Justice Bimalendu Bikash Roy Chowdhury *	02.07.1985	11.05.1996	01.11.2000
50.	Mr. Justice A. M. Mahmudur Rahman *	26.12.1985	01.02.1999	14.12.2000
51.	Mr. Justice Syed Fazle Ahmmed *	26.12.1985		01.01.1994
52.	Mr. Justice Mahmudul Amin Chowdhury *	27.01.1987	28.06.1999	17.06.2002
53.	Mr. Justice A. K. M. Sadeque *	27.01.1987		30.01.1995
54.	Mr. Justice D. M. Ansaruddin Ahmed *	27.01.1987		01.07.1995
55.	Mr. Justice Md. Mozammel Haque *	27.01.1987		01.12.2000
56.	Mr. Justice Quazi Shafi Uddin *	27.01.1987		01.11.2001
57.	Mr. Justice Habibur Rahman Khan *	21.01.1988		01.12.1995
58.	Mr. Justice Md. Budruzzaman *	21.01.1988		01.02.1996
59.	Mr. Justice Naimuddin Ahmed *	21.01.1988		04.04.1996
60.	Mr. Justice Mohammad Ansar Ali *	21.01.1988		05.07.1995 □□
61.	Mr. Justice Mainur Reza Chowdhury *	29.01.1990	08.11.2000	22.06.2003
62.	Mr. Justice Kazi Ebadul Hoque	29.01.1990	19.01.2000	01.01.2001
63.	Mr. Justice Badrul Islam Chowdhury	29.01.1990		01.02.1998
64.	Mr. Justice Abdul Hasib *	29.01.1990		28.01.1992
65.	Mr. Justice Habibul Islam Bhuiyan	29.01.1990		19.03.1990 **
66.	Mr. Justice K. M. Hasan	13.07.1991	20.01.2002	26.01.2004
67.	Mr. Justice Md. Abdul Karim *	13.07.1991	20.01.2002	01.08.1999
68.	Mr. Justice Muhammad Abdul Mannan*	13.07.1991		21.12.1999
69.	Mr. Justice Md. Ruhul Amin	18.02.1992	11.01.2001	31.05.2008
70.	Mr. Justice Syed J. R. Mudassir Husain	18.02.1992	05.03.2002	28.02.2007
71.	Mr. Justice Mohammad Gholam Rabbani	18.02.1992	11.01.2001	10.01.2002
72.	Mr. Justice Mahfuzur Rahman *	18.02.1992	11.01.2001	01.02.2000
73.	Mr. Justice Md. Sirajul Islam *	18.02.1992		03.03.2000
74.	Mr. Justice Mohammad Fazlul Karim	01.11.1992	15.05.2001	29.09.2010
75.	Mr. Justice Abu Sayeed Ahammed	01.11.1992	05.03.2001	23.08.2003
	Mr. Justice M. M. Ruhul Amin *	10.02.1994	13.07.2003	
76. 77.	Mr. Justice Md. Tafazzul Islam	10.02.1994	27.08.2003	22.12.2009 07.02.2010
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78. 79.	Mr. Justice Kazi A. T. Monowaruddin *	10.02.1994	25.06.2002	15.07.2002
	Mr. Justice Md. Fazlul Haque Mr. Justice Hamidul Haque *	10.02.1994	17.07.2002 29.06.2003	30.06.2003
80.	Mr. Justice Hamidui Haque * Mr. Justice Md. Asaduzzaman *		Z7.UU.ZUU3	20.12.2003 09.02.1997 •
81.		10.02.1994		
82.	Mr. Justice Md. Nurul Islam *	10.02.1994		01.06.2002
83.	Mr. Justice Md. Bazlur Rahman Talukder *	10.02.1994		10.02.1997
84.	Mr. Justice Syed Amirul Islam	10.02.1994	05.01.000.4	13.01.2007
85.	Mr. Justice M. A. Aziz	01.06.1996	07.01.2004	30.09.2006
86.	Mr. Justice Amirul Kabir Chowdhury *	01.06.1996	26.02.2004	30.06.2007
87.	Mr. Justice Md. Joynul Abedin	01.06.1996	24.08.2006	31.12.2009
88.	Mr. Justice Md. Hassan Ameen	01.06.1996	21.03.2007	03.07.2008

^{*} Deceased. ** Date of resignation.

Date of Death while in office.

Performed as Additional Judge.

SL. No	Name	Date of elevation to the HCD	Date of elevation to the AD	Date of retirement
89.	Mr. Justice Md. Abdul Matin	01.06.1996	19.09.2007	25.12.2010
90.	Mr. Justice Shah Abu Nayeem Mominur Rahman	01.06.1996	08.03.2009	12.05.2011 **
91.	Mr. Justice Md. Iftekhar Rasool *	01.06.1996		06.06.2000 □□
92.	Mr. Justice A. K. Badrul Huq *	01.06.1996		02.03.2008 **
93.	Mr. Justice Gour Gopal Shaha *	24.02.1997		26.12.2003
94.	Mr. Justice Md. Ali Asgar Khan	24.02.1997		13.01.2008
95.	Mr. Justice Md. Awlad Ali	24.02.1997		26.01.2008
96.	Mr. Justice Zakir Ahmad *	24.02.1997		17.07.1998 □□
97.	Mr. Justice A.B.M. Khairul Haque	27.04.1998	16.07.2009	17.05.2011
98.	Mr. Justice Md. Muzammel Hossain	27.04.1998	16.07.2009	16.01.2015
99.	Mr. Justice (Alhaj) Md. Abdul Aziz *	27.04.1998	08.03.2009	31.12.2009
100.	Mr. Justice B.K Das *	27.04.1998	16.07.2009	10.04.2010
101.	Mr. Justice Md. Latifur Rahman	27.04.1998		01.07.2006 **
102.	Mr. Justice Md. Abdul Quddus *	27.04.1998		15.01.2009
103.	Mr. Justice Surendra Kumar Sinha	24.10.1999	16.07.2009	10.11.2017 **
104.	Mr. Justice Md. Abdul Wahhab Miah	24.10.1999	23.02.2011	02.02.2018
105.	Mr. Justice Muhammed Mamtaz Uddin Ahmed	24.10.1999	16.05.2011	31.12.2011
106.	Mr. Justice Md. Abdur Rashid	24.10.1999		26.01.2009
107.	Mr. Justice Khademul Islam Chowdhury	24.10.1999		17.04.2009
108.	Mr. Justice Sikder Maqbul Huq	24.10.1999		18.01.2010
109.	Mr. Justice Md. Abdus Salam *	24.10.1999		11.01.2010
110.	Mr. Justice Md. Arayes Uddin	24.10.1999		31.01.2010
111.	Madam Justice Nazmun Ara Sultana	28.05.2000	23.02.2011	07.07.2017
112.	Mr. Justice N. K. Chakravartty *	28.05.2000		27.05.2002 ●
113.	Mr. Justice A. K. M. Shafiuddin	28.05.2000		27.05.2002
114.	Mr. Justice A. F. M. Mesbahuddin	28.05.2000		27.05.2002
115.	Mr. Justice Munsurul Haque Chowdhury	28.05.2000		27.05.2002
116.	Mr. Justice Syed Mahmud Hossain	22.02.2001	23.02.2011	30.12.2021
117.	Mr. Justice Md. Shamsul Huda	22.02.2001	16.05.2011	02.11.2012
118.	Mr. Justice Md. Abdul Hye (M.A. Hye) *	22.02.2001	10.00.2011	13.12.2011
119.	Mr. Justice Faruque Ahmed *	22.02.2001		30.12.2011
120.	Mr. Justice Mohammad Marzi-ul-Huq *	22.02.2001		23.09.2012
121.	Mr. Justice Altaf Hossain Khan *	22.02.2001		10.07.2002
122.	Mr. Justice Md. Abdur Razzaque *	22.02.2001		01.09.2014
123.	Mr. Justice Molammad Anwarul Haque	03.07.2001	31.03.2013	09.04.2014
123.	Mr. Justice Monaminad Anwarui Haque Mr. Justice AHM Shamsuddin Choudhury	03.07.2001	31.03.2013	02.10.2015
124.	Mr. Justice Mirza Hussain Haider	03.07.2001	08.02.2016	28.02.2021
126.	Mr. Justice Md. Nizamul Huq	03.07.2001	08.02.2016	15.03.2017
127.	Mr. Justice Md. Nizamui Huq Mr. Justice Bazlur Rahman *	03.07.2001	08.02.2016	
			00.02.2010	01.01.2017 🗆 🗆
128.	Mr. Justice Sheikh Rezowan Ali	03.07.2001		31.01.2013
129.	Mr. Justice Nozrul Islam Chowdhury	03.07.2001		13.12.2015
130.	Mr. Justice Syed Muhammad Dastagir Husain	03.07.2001		17.09.2018
131.	Mr. Justice Khondker Musa Khaled	03.07.2001	01.00.0010	02.03.2013
132.	Mr. Justice Siddiqur Rahman Miah	29.07.2002	31.03.2013	02.06.2013

^{*} Deceased. ** Date of resignation.

Date of termination.

Date of Death while in office.

Performed as Additional Judge.

SL. No	Name	Date of elevation to the HCD	Date of elevation to the AD	Date of retirement
133.	Mr. Justice Tariq ul Hakim	29.07.2002	03.09.2020	19.09.2020
134.	Mr. Justice Mir Hashmat Ali	29.07.2002		01.10. 2012
135.	Mr. Justice Mashuque Hosain Ahmed *	29.07.2002		30.11. 2012
136.	Mr. Justice A.K.M. Fazlur Rahman *	29.07.2002		14.01.2013
137.	Mr. Justice Abdul Awal	29.07.2002		19.08.2013
138.	Mr. Justice Sharif Uddin Chakladar	29.07.2002		19.01.2016
139.	Mr. Justice Md. Mizanur Rahman Bhuiyan *	29.07.2002		07.09.2017
140.	Mr. Justice Syed A.B. Mahmudul Huq	29.07.2002		31.12.2017
141.	Mr. Justice Abdus Salam Mamun	29.07.2002		13.02.2005 ●
142.	Madam Justice Zinat Ara	27.04.2003	09.10.2018	14.03.2020
143.	Mr. Justice Afzal Hossain Ahmed	27.04.2003		09.05.2012
144.	Mr. Justice A.F.M. Ali Asgar	27.04.2003		01.01.2015
145.	Mr. Justice Farid Ahmed	27.04.2003		03.01.2017
146.	Mr. Justice Shamim Hasnain	27.04.2003		24.04.2017
147.	Mr. Justice A. F. M Abdur Rahman	27.04.2003		04.07.2018
148.	Mr. Justice Md. Abu Tariq	27.04.2003		10.09.2019
149.	Mr. Justice Syed Shahid-ur -Rahman	27.04.2003		20.04.2004 🗆
150.	Mr. Justice A.T.M. Fazle Kabir	27.08.2003		01.01.2014
151.	Mr. Justice Syed Abu Kowser Md. Dabirush-Shan*	23.08.2004		31.12.2011
152.	Mr. Justice Shahidul Islam	23.08.2004		01.09.2015
153.	Mr. Justice Md. Abdul Hye	23.08.2004		31.01.2016
154.	Mr. Justice Quamrul Islam Siddique *	23.08.2004		30.05.2017
155.	Mr. Justice Md. Fazlur Rahman	23.08.2004		31.01.2018
156.	Mr. Justice Nirmolendu Dhar *	23.08.2004		22.08.2006
157.	Mr. Justice A. B. M. Hatem Ali *	23.08.2004		22.08.2006
158.	Mr. Justice Faisal Mahmud Faizee	23.08.2004		12.07.2007 **
159.	Mr. Justice Moyeenul Islam Chowdhury	23.08.2004		08.01.2020
160.	Mr. Justice Md. Emdadul Huq	23.08.2004		30.09.2020
161.	Mr. Justice Md. Delwar Hossain	16.11.2008		15.11.2010 ●
162.	Mr. Justice Md. Azizul Haque	16.11.2008		15.11.2010
163.	Mr. Justice Md. Abdus Samad	16.11.2008		15.11.2010
164.	Mr. Justice A.K.M. Abdul Hakim	16.11.2008		18.12.2021
165.	Madam Justice Syeda Afsar Jahan	16.11.2008		15.11.2010 ●
166.	Mr. Justice Abu Bakar Siddiquee	30.06.2009	09.10.2018	28.07.2021
167.	Mr. Justice M. Moazzam Husain	30.06.2009	0711012010	31.01.2018
168.	Mr. Justice Soumendra Sarker	30.06.2009		31.10.2020
169.	Mr. Justice Md. Faruque (M. Faruque)	18.04.2010		31.12.2019
170.	Mr. Justice Md. Shawkat Hossain	18.04.2010		10.01.2020
171.	Mr. Justice Bhabani Prasad Singha	12.12.2010		08.08.2020
172.	Mr. Justice Anwarul Haque*	12.12.2010		13.07.2017 🗆 🗆
173.	Mr. Justice S. H. Md. Nurul Huda Jaigirdar	20.10.2011		29.11.2018
174.	Mr. Justice A.B.M. Altaf Hossain	14.06.2012		13.06.2014 ●
175.	Mr. Justice Farid Ahmed Shibli	12.02.2015		11.02.2017
176.	Mr. Justice Amir Hossain*	12.02.2015		24.08.2021 🗆 🗆
177.	Mr. Justice J.N. Deb Choudhury*	12.02.2015		15.12.2016 □□ •

^{*} Deceased. ** Date of resignation.

Date of termination.

Date of Death while in office.

Performed as Additional Judge.

The Registrar General of the Supreme Court of Bangladesh and the Registry

Under Article 113 of the Constitution of the People's Republic of Bangladesh, the Supreme Court of Bangladesh, with previous approval of the President, may make rules providing for the appointment of officers and staffs of the Court and for their terms and conditions of employment. Accordingly, the Supreme Court of Bangladesh (Appellate Division) Officer and Staff Appointment Rules, 2000 and the Supreme Court of Bangladesh (High Court Division) Officer and Staff Appointment Rules, 1987 have been framed.

Composition:

The Registry of the Supreme Court provides administrative services to the Court to facilitate its day to day judicial function smoothly in accordance with the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 and Supreme Court (High Court Division) Rules, 1973. The total function of the Registry has been divided into various categories and the work assigned to one of these categories is known as "Section". Transaction of all administrative works relating to the conditions of service and conduct of Court's employees is regulated under direct and overall supervision of the Registrar General who renders such duty under the direction of the Chief Justice of Bangladesh.

Organizational set-up:

In the area of organizational set-up, the Registry consists of the following position:

	Number of post			
Names of the post	Appellate Division	High Court Division	Remarks	
Registrar General	1		For both Divisions appointed from Judicial Service (on deputation).	
Registrar	1	2	For both Divisions appointed from Judicial Service (on deputation).	
Additional Registrar	1	3	For both Divisions appointed from Judicial Service (on deputation).	
Special Officer		1	Appointed from Judicial Service (on deputation).	
Deputy Registrar	2	10	For Appellate Division 1 from Judicial Service (on deputation) and 1 from employees of Supreme Court through promotion; For the High Court Division appointed 5 from Judicial Service (on deputation) 5 from employees of Supreme Court through promotion.	
Assistant Registrar	3	15	For Appellate Division appointed from employees of Supreme Court through promotion; For the High Court Division appointed 9 from Judicial Service (on deputation) 6 from employees of Supreme Court through promotion.	
Research & Reference Officer	1		Appointed from Judicial Service (on deputation).	
Secretary to the Chief Justice	1	1	Appointed from employees of Supreme Court through promotion.	
PS to Registrar General	1		Appointed from Judicial Service (on deputation).	
Other employees of different level	140	2099	Employees appointed by the Supreme Court.	

Functions:

In rendering administrative service to the Court for carrying out its judicial functions in accordance with the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 and the Supreme Court (High Court Division) Rules, 1973, the Registry also carries out the following functions:

- 1. to prepare the cause list in order to intimate the parties and the Advocates about the fixation of their case for hearing or other matter for fixing before a bench;
- 2. to provide the necessary assistance and information to the court processing for cases pending before the Court;
- 3. to require any petition of appeal, petition or other matters presented to the Court to be amended in accordance with the practice and procedure of the Court;
- 4. to fix the dates of hearing of appeals, petitions or other matters and issue notices thereof;
- 5. to settle the index in cases where the record is to be prepared under the supervision of the Registry;
- 6. to ensure that necessary documents are included and all legal and procedural formalities have been complied with before a case made ready for hearing;
- 7. to direct any formal amendment of record;
- 8. to make an order for change of Advocate-on-Record with the consent of the Advocate-on-Record;
- 9. to grant leave to inspect and search the records of the Court and order to grant of copies of documents to parties to proceedings;
- 10. to allow from time to time on a written request any period or periods not exceeding twenty-eight days in aggregate for furnishing information or for doing any other act necessary to bring the plaint, appeal, petition or other proceeding in conformity with the rules and practice of the Court;
- 11. to implement Court judgments and orders;
- 12. to maintain the records;
- 13. to maintain the record of senior Advocates of the Supreme Court, Advocates and Advocate-on-record; and
- 14. to perform any other functions subject to any general or special order, issued by the Honourable Chief Justice of Bangladesh.

Names of the Registrars General

SL. No.	Name	Duration
1.	Mr. Syed Aminul Islam	14.06.2015-22.10.2017
2.	Mr. Dr. Md. Zakir Hossain	04.03.2018-20.10.2019
3.	Mr. Md. Ali Akbar	30.10.2019-(Onwards)

Names of the Registrars

SL. No.	Name	Duration
1.	Mr. Shahabuddin Ahmed	31.09.1967-20.01.1972
2.	Mr. Mohammad Abdul Khaleque	22.02.1972-20.07.1973
3.	Mr. Abdul Mumit Chowdhury	20.07.1973-02.03.1976
4.	Mr. Md. Abdul Ahad	19.04.1976-06.12.1976
5.	Mr. Mohammad Ali Khan	06.12.1976-05.10.1977
6.	Mr. K.F. Akbor	05.10.1977-29.01.1980
7.	Mr. Sheikh Khorshed Ali	08.05.1980-03.01.1981
8.	Mr. Khondker Badruddin Ahmed	05.01.1981-06.07.1982
9.	Mr. Naimuddin Ahmed	01.09.1982-21.01.1988
10.	Mr. Md. Hamidul Huq	03.02.1988-15.05.1990
11.	Mr. Md. Nurul Islam	15.05.1990-15.04.1992
12.	Mr. Kazi Golam Rasul	15.04.1992-30.04.1994
13.	Mr. Md. Ali Asgor Khan	30.04.1994-24.02.1997
14.	Mr. Md. Abdul Jalil	16.03.1997-30.12.1999
15.	Mr. Mohammad Marzi-ul-Huq	05.01.1999-21.02.2001
16.	Mr. Quamrul Islam Siddiqui	27.02.2001-22.08.2004
17.	Mr. Md. Fazlul Karim	07.09.2004-12.01.2007
18.	Mr. Ikteder Ahmed	08.03.2007-31.07.2008
19.	Mr. Abu Bakar Siddiquee	22.09.2008-29.06.2009
20.	Mr. Md. Shawkat Hossain	09.08.2009-17.04.2010
21.	Mr. Md. Ashraful Islam	19.05.2010-07.06.2011
22.	Mr. A.K.M. Shamsul Islam	07.06.2011-10.09.2014
23.	Mr. S.M. Kuddus Zaman	04.12.2014-02.02.2015
24.	Mr. Farid Ahmed Shibli	02.02.2015-12.02.2015
25.	Mr. Syed Aminul Islam	15.02.2015-14.06.2015
26.	Mr. Abu Syed Diljar Hussain (High Court Division)	16.06.2015-22.10.2017
27.	Mr. Dr. Md. Zakir Hossain (Appellate Division) 16.06.2015-04.03.20	
28.	Mr. Md. Golam Rabbani (High Court Division)	In office since 31.10.2017
29.	Mr. Md. Badrul Alam Bhuiyan (Appellate Division)	In office since 11.04.2018

Supreme Court Legal Aid Office

Fundamental principal of Natural Justice is that "Nobody should be condemned unheard". That is, before condemning a person, the judge must give the party a fair opportunity of answering the case against him/her. Article 27 of the Bangladesh Constitution guarantees that all citizens are equal before law and are entitled to have equal protection of law.

Legal aid means the assistance in the legal matters both inside and outside the courts to the poor and indigent litigants. Legal aid is a system of government funding for those who cannot afford to pay for advice, assistance and representation. Legal professionals use the phrase 'legal aid' to mean-counseling on any legal issue, giving honorarium to any pleader/ conciliator/ arbitrator, providing monetary aid to bear expenditure of the case, defending a person in a court of law.

Legal aid is the provision of assistance to people otherwise unable to afford legal representation and access to the court system. Legal aid is regarded as central in providing access to justice by ensuring equality before the law, the right to counsel and the right to a fair trial.

With a view to providing legal aid to the poor and under privileged litigants the government has enacted the Legal Aid Act in 2000; it was not possible to provide service to the justice seekers due to the absence of required rules on providing legal aid at the highest court of the land. In 2010, National Legal Aid Service Organization provided legal aid only for Jail Appeal to the people who are socially and financially vulnerable through 37 lawyers who were included into the panel. After that, National Legal Aid Service Organization (NLASO) and Manusher Jonno Foundation (MJF) jointly took the initiative to conduct a survey on how legal aid can be provided by the government and accordingly assigned Barrister Tanjib-ul-Alam to conduct the survey and later on he submitted the study paper on it. An advisory committee was also established and the Director of National Legal Aid Services Organization (NLASO) was the head of the Committee.

After intense observation on the report prepared on the basis of the findings, the advisory committee recommended enacting and publishing the Legal Aid Regulation 2015. The publication of the regulation as gazette notification created the scope of a new beginning on the way of providing legal aid at the highest court of the land. The recently published gazette includes the issues regarding increasing fees of lawyers, jurisdiction of filling cases and some other related issues as well.

Finally, on 8th September, 2015 Honorable Chief Justice of Bangladesh officially inaugurated the Supreme Court Legal Aid Office. USAID's Justice for All Program and the National Legal Aid Services Organization (NLASO) organized this launching ceremony of the Supreme Court Legal Aid Office.

Supreme Court Legal Aid Office aims to provide legal aid to all the poor and distressed litigants. Any eligible applicant can now access free legal aid by submitting an application to the Supreme Court Legal Aid Office. After reviewing the application, a lawyer is appointed to represent the applicant free of cost. The government will pay the honorarium directly to the advocate. The Supreme Court Legal Aid Office is now providing legal aid for Civil, Criminal appeals, Writ and others.

The Supreme Court Committee was comprised of 13 members and Honorable Mr. Justice M. Enayetur Rahim is the Chairman of the Committee.

The committee provides the following aid to the persons:

- 1. F.A (First Appeal) & Civil Revision.
- 2. Criminal Appeal & Criminal Revision
- 3. Jail Appeal
- 4. Writ Petition
- 5. Leave to Appeal and CP filing of the cases

Supreme Court Legal Aid office is also providing the following Services:

- a. Legal advice
- b. Filling and dealing cases
- c. Expert opinion on the merit of the case
- d. Bearing the actual cost

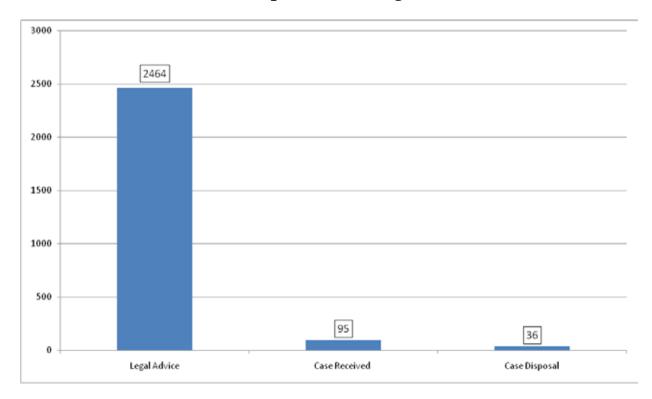
Panel Advocates: High Court Division - 54 - 10 Appellate Division



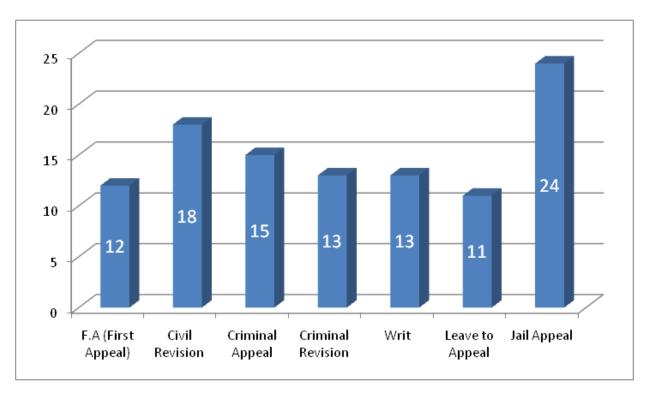
The 19th Meeting of the Supreme Court Legal Aid Committee was held on Wednesday, September 1 of 2021. Honorable Mr. Justice M, Enayetur Rahim, Chairman Supreme Court Legal Aid Committee presided over the meeting held in the conference room of the main building of the Supreme Court

Case Nature	Application Received	Disposal of Cases
F.A (First Appeal)	12	00
Civil Revision	18	10
Criminal Appeal	15	02
Criminal Revision	13	00
Writ Petition	13	00
Leave to Appeal	11	01
Jail Appeal	24	23
Total	106	36

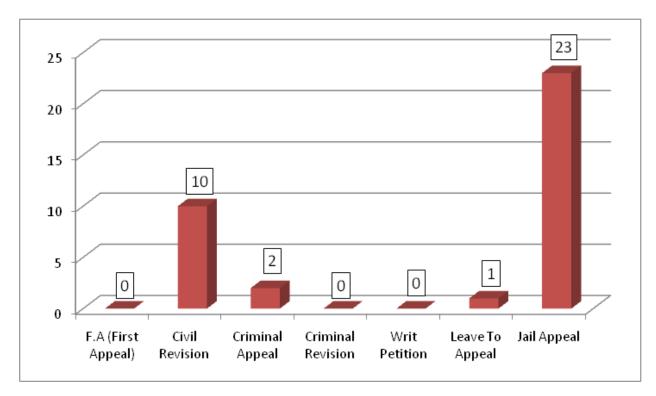
Cases Statistics of Supreme Court Legal Aid Office-2021



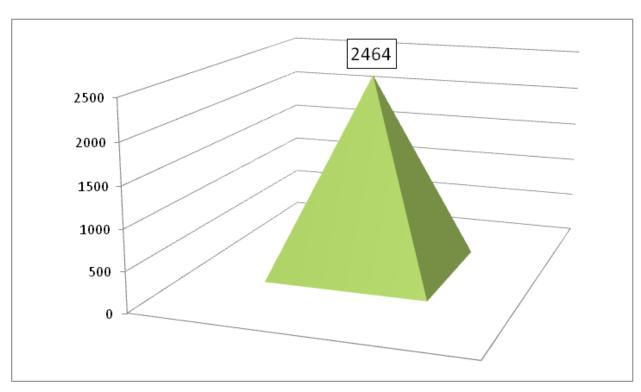
Application Recieved -2021



Disposal of Cases, 2021



Legal Advice, 2021



Budget/Finance of the Supreme Court of Bangladesh

Parliament allocates funds for the Judiciary including the Supreme Court of Bangladesh within the National Budget. A preliminary draft budget is prepared by the Office of the Registrar General and submitted for the consideration of the Chief Justice of Bangladesh. Once approved, the draft budget is forwarded to the Government for incorporation in the National Budget. It is finally adopted by the Parliament after approval of the Government.

Article 88(b)(ii) of the Constitution of the People's Republic of Bangladesh, provides for the remuneration of the Judges of the Supreme Court of Bangladesh and Article 88(c) of the Constitution provides that for the administrative expenses of the Supreme Court, including salary, payable to officers and staff of the Supreme Court, shall be charged upon the Consolidated Fund.

The budget allocation (Non-development and Development) For FY 2018-19 to FY 2021-2022 and the allocation (Non-Development and Development) for FY 2021-2022 of the Supreme Court are shown below:

Fir	nancial Year	Operating	Development	Total
2018-19	Revised budget	169,59,54,000/-	0	169,59,54,000/-
2019-20	Revised budget	213,94,57,000/-	0	213,94,57,000/-
2020-21	Revised budget	198,71,00,000/-	0	198,71,00,000/-
2021-22	Revised Budget	224,53,25,000/-	0	224,53,25,000/-

It is to be noted that the Judiciary, including the Supreme Court of Bangladesh is one of the important sources of the National Budget whose revenue collection marks a notable contribution in the National Budget in each fiscal year.

The Registrar General, being the ex-officio Chief Accounting officer, is responsible for expenditure of the amount sanctioned in the budget of the Supreme Court under the guidance of the Honourable Chief Justice. The Registrar General has to ensure the proper use of the allocated funds. He is also authorised to approbate and re-approbate from one head to another shown in the budget without the sanction of the Government but can not exceed the amount approved in the budget. The accounts of the Court are audited every year by the Auditors of the Office of the Comptroller and Auditor General of Bangladesh.

Names of the Attorney-Generals for Bangladesh from 1972 to 2021

SL. No.	Name	Tenure
1.	Mr. M.H. Khandker	21-01-1972 to 17-12-1972
2.	Mr. Fakir Shahabuddin Ahmed	18-12-1972 to 21-03-1976
3.	Mr. Syed Ishtiaq Ahmed	22-03-1976 to 06-05-1976
4.	Mr. K.A. Bakr	10-05-1985 to 13-03-1985
5.	Mr. M. Nurullah	14-03-1985 to 06-04-1990
6.	Mr. Rafique-ul-Huq	07-04-1990 to 17-12-1990
7.	Mr. Aminul Huq	18-12-1990 to 13-07-1995
8.	Mr. M. Nurullah	26-07-1995 to 22-06-1996
9.	Mr. Kazi Shahidun Nabi (K.S. Nabi)	31-07-1996 to 29-05-1998
10.	Mr. Mahmudul Islam	16-07-1998 to 09-10-2001
11.	Mr. Abu Fayez Hassan Ariff	14-10-2001 to 30-04-2005
12.	Mr. A.J. Mohammad Ali	30-04-2005 to 24-01-2007
13.	Mr. Fida Md. Kamal	05-02-2007 to 16-07-2008
14.	Mr. Salahuddin Ahmed	20-07-2008 to 12-01-2009
15.	Mr. Mahbubey Alam	31-01-2009 to 27-09-2020
16.	Mr. A.M. Amin Uddin	In office since 08-10-2020

The Supreme Court Bar Association

All practicing Advocates of both the Divisions of the Supreme Court of Bangladesh including the Advocateson-Record are the members of the Supreme Court Bar Association. The Supreme Court Bar Association always plays active and vital role to protect the supremacy, dignity and integrity of the Supreme Court of Bangladesh. The Association is housed in two buildings, one is known as the main building which is 2 (two) storied and the other one is known as the annex building which is 3 (three) storied. The present Association has the legacy of the then Dhaka High Court Bar Association, housed in the old building of the then High Court of Judicature at Dhaka, established after the creation of Pakistan in 1947. In 1967, the then High Court of Judicature at Dhaka was shifted to the present main building; 4 rooms of the main Building on the western side were allowed for use of the learned members of the Association. The present main building of the Association was inaugurated in November, 1975 by the then Honourable President Mr. Justice Abu Sadat Muhammad Sayem, the first Chief Justice of Bangladesh. In both buildings, rooms are allotted to the members of the Association to have their private sitting arrangements in carrying out their works against monthly payments to the Association and such rooms are known as cubicles. Presently, there are 489 cubicles, apart from 3 (three) big hall rooms. The learned members of the Association, who can not be provided with cubicles, sit in the hall rooms. The Association has a modern auditorium. The Association has also a Medical Care Centre in the ground floor of the main building, where a doctor sits regularly on the working days and provides medical treatment to its members.

The library of the Association is in the main building and has a rich and versatile collection of books, law journals and law reports of USA, UK, Australia, Common Wealth, India, Pakistan and Supreme Court of Bangladesh.

The Supreme Court of Bangladesh is consisted of two Divisions namely: (a) The Appellate Division and (b) The High Court Division. In order to practice in each of the Divisions one has to be enrolled as an Advocate of the said Division and also has to become a member of the Supreme Court Bar Association. Both the Divisions have separate enrolment procedures.

Advocates of the Appellate Division:

There are three categories of Advocates who are entitled to practice law before the Appellate Division, viz. Senior Advocate, Advocate and Advocate-on-Record. Enrolment of these 3 (three) categories of Advocates is guided by Order IV of the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 (Rules, 1988). Order IV, Rule 11 of the Rules, deals with the enrolment as Senior Advocates. The said Rule provides that the Chief Justice and the Judges may, on application or otherwise, select from time to time, from among those whose names are on the Roll of the Advocates, and who are judged as person, by their knowledge, ability and experience, to be worthy as Senior Advocates. If any Advocate is granted with the status of a Senior Advocate, he or she shall assume the said status on signing the Roll of Senior Advocates. In the said Rule it has further been provided that the Chief Justice and the judges may, before selecting an Advocate as Senior Advocate, consider whether he/she could show sufficient appearance before the Court so as to be entitled to get the status of Senior Advocate. Rule 12 of Order 11 of the Rules, 1988 has provided that a fee of taka ten thousands shall be paid by a Senior Advocate before he signs the Roll.

Enrolment as an Advocate of the Appellate Division is guided by Rules 3, 4 and 5 of Order IV of the Rules of 1988. In order to be enrolled as an Advocate of the Appellate Division, one must be:

- (a) an Advocate in the High Court Division for not less than 5 (five) years.
- (b) certified in a duly authenticated form by the Bangladesh Bar Council that he is an enrolled Advocate of the High Court Division.
- (c) certified by the Judges of the High Court Division that he is a fit and proper person to appear and plead as an Advocate before the Appellate Division.

But the Chief Justice and the Judges may grant enrolment to an Advocate, not qualified as aforementioned, if in their opinion, he is qualified by knowledge, ability and experience to be enrolled as an Advocate of that Division. The power may also be delegated to the Enrolment Committee. In order to be enrolled as an Advocate of the

Appellate Division an application for enrolment has to be made in such form as may be prescribed by the Court from time to time and shall be accompanied by the following documents:

- a certificate of the Bangladesh Bar Council as mentioned in (b) above; (i)
- (ii) bio-data of the applicant giving full particulars of his/her qualifications and any previous employment or engagement for gain;
- a list of cases, in which he/she appeared before the High Court Division;
- an affidavit by the applicant that he/she is eligible and not disqualified to be enrolled as an Advocate in the Appellate Division of the Supreme Court of Bangladesh; and
- (v) six recent passport size photographs of the applicant.

The application for enrolment shall be considered by an Enrolment Committee consisting of at least two Judges to be nominated by the Chief Justice and the Committee may call the applicants for interview and call for any record. If the Enrolment Committee grants the application, the applicant shall be allowed to sign the Roll of Advocates on payment of taka 5,000/00 (five thousand).

Qualification for enrolment as an Advocate-on-Record has been laid down in Rule 17 of Order IV of the Supreme Court of Bangladesh (Appellate Division) Rules, 1988 which are as under:

No person shall be qualified for being enrolled as an Advocate-on-Record unless, he/she-

- has been for not less than seven years enrolled as an Advocate of the Courts subordinate to the Appellate Division of the Supreme Court including at least three years standing as an Advocate of the High Court Division;
- (b) has an office at the seat of the Registry of the Court;
- (c) has telephone installation at his office at the seat of the Registry of the Court;
- signs the Roll of Advocate-on-Record maintained for the purpose.

Provided that the Chief Justice and the Judges may grant enrolment of a person not qualified as aforementioned, if, in their opinion, he is qualified by knowledge, ability and experience to be enrolled as an Advocate-on-Record. This power may be delegated to the Enrolment Committee. Such application for enrolment as an Advocate-on-Record shall be made in such form as may be prescribed by the Court from time to time. Rule 18 of Order IV of the Rules, 1988 has provided that the application shall have to be accompanied by-

- an authenticated copy of the applicant's first enrolment as an Advocate on the roll of Bangladesh Bar Council:
- a certificate from the Bar Association, where the applicant first joined to practice the profession of law (ii) mentioning the date of commencement of his membership of the Bar Association;
- an authenticated photostat copy of his certificate of enrolment as an Advocate of the High Court Division of the Supreme Court;
- a certificate in a duly authenticated form by the Supreme Court Bar Association that he is still an Advocate of the High Court Division of the Supreme Court;
- bio-data of the applicant giving full particulars of his qualification and any previous employment for gain;
- (vi) a list of cases in which he appeared before the High Court Division;
- (vii) an affidavit by the applicant that he is eligible and not disqualified to be enrolled as an Advocate-on-Record in the Appellate Division of the Supreme Court; and
- (viii) six recent passport-size photographs of the applicant.

Rule 19 of Order IV of the Rules, 1988 further provides that an application for enrolment as an Advocate-on-Record shall be considered by an Enrolment Committee consisting of at least two judges to be nominated by the Chief Justice and the committee may call the applicants for interview and call or ask for any record. If the Enrolment Committee grants the application, the applicant shall be allowed to sign the Roll of Advocate-on-Record on payment of fee of taka 2,000.

Rule 7 of Order IV of the Rules, 1988 clearly provides that a Senior Advocate, an Advocate and an Advocate-on-Record shall be entitled to appear and plead before the Court on signing his respective Roll. Rule 33 provides that the Attorney General for Bangladesh shall have precedence over all the Advocates and Senior Advocates. In Rule 34 it has further been provided that the Attorney General for Bangladesh and Additional Attorney General shall, by virtue of their offices, have the status and precedence of a Senior Advocate of the Court notwithstanding that their names are not contained in the Roll of Senior Advocates. The Deputy Attorney General and Assistant Attorney General shall, by virtue of their office, have the status of an Advocate of the Court notwithstanding that their names are not contained in the Roll of Advocates of the court.

Advocates of the High Court Division:

The enrolment in the High Court Division is controlled by the Bangladesh Bar Council under the provisions of the Bangladesh Legal Practitioners and Bar Council Order, 1972 (the Order, 1972) and the Rules framed thereunder, namely, The Bangladesh Legal Practitioners and Bar Council Rules, 1972 (the Rules, 1972).

Article 21 of the Order provides that no Advocate other than an Advocate permitted to practice before the High Court immediately before the commencement of the Order, shall be permitted to practice before the High Court Division unless-

- (a) he has practiced as an Advocate before subordinate courts in Bangladesh for a period of two years;
- (b) he is a law graduate and has practiced as an Advocate before any Court outside Bangladesh notified by government in the official gazette;
- (c) he has, for reason of his legal training or experience been exempted by the Bar Council from the forgoing requirements of this clause on the basis of the prescribed criteria.

Rules 65A of the Rules, 1972 has empowered the Bar Council to grant exemption under article 21(1) (a) requiring practice for a period of 2 (two) years before seeking permission to practice in the High Court Division on the basis of the following criterion-

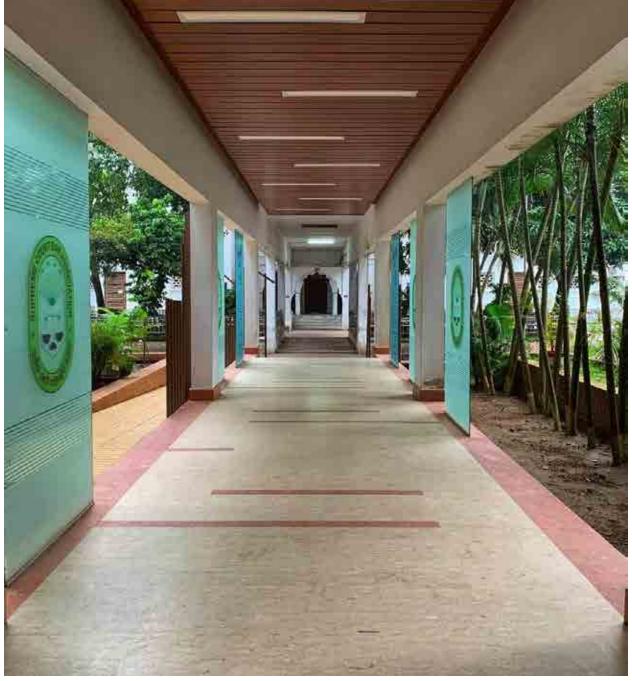
- (i) Advocates who were called to the Bar in U.K. or who have obtained higher 2nd class in LL.M. (at least 50% marks in aggregate) form any recognized University and further worked with a Senior Advocate of the Supreme Court in his Chamber for at least one year [since his enrolment as Advocate under Rule 62(1)]; and
- (ii) Persons holding a degree in law and have held a judicial office (i.e. office of a Civil Judge) for a total period of at least 10 years do not require to appear for written test as per sub-rule (2) hereof but he shall have to appear before the interview Board.

Enrolment to practice in the High Court Division is done by an Enrolment Committee consisting of 5 persons, namely:

- (a) Chairman to be nominated by the Chief Justice from amongst the Judges of the Appellate Division
- (b) One member to be nominated by the Chief Justice from amongst the Judges of the High Court Division.
- (c) Attorney General for Bangladesh.
- (d) Two members elected by the Bar Council from amongst its members.

(2) The procedure for the enrolment of Advocates and the business of the Enrolment shall be regulated by the Enrolment Committee in such manner as may be determined by it.

Rule 65A (1) of the Rules, 1972 provides that all applications for permission to practice in the High Court Division shall be made in prescribed form as appended to the Rules, accompanied by the papers detailed in clause (a) (b) (c) and (d) thereof. Of the above 3 (three) clauses, clause (b) provides that a list of at least 25 cases either civil or criminal or both in which the Advocate appeared before the concerned Courts must be submitted. Presently after an Advocate fulfills the requirement to apply for permission to practice, written test is taken on the syllabus for the same as mentioned in sub-article (3) of Rule 65 A. The qualifying mark for written test is 12 out of 25 and for oral test is 12 out of 25, but the aggregate marks of the two tests must be at least 25 (that is 12 + 13).



Corridor of the Bangladesh Supreme Court Bar Building

Names of the Presidents and the Secretaries of the Supreme Court Bar Association from 1972 to 2021

Period	Names of the President and the Secretary		
1071 1070	President	Mr. Asaduzzaman Khan and Mr. M.H. Khondker	
1971-1972:	Secretary	Mr. Tufail Ahmed and Mr. Mohammad Yeasin	
1070 70.	President	Mr. Ahmed Sobhan	
1972-73:	Secretary	Mr. Shamsul Huq Choudhury	
1072 74.	President	Mr. Mirza Golam Hafiz	
1973-74:	Secretary	Mr. Mohammad Yeasin	
1974-75:	President	Mr. Dr. Aleem-Al-Razee	
19/4-/3.	Secretary	Mr. Mohammad Yeasin	
1975-76:	President	Mr. Tafazzal Ali (T. Ali)	
19/5-/6.	Secretary	Mr. A.K.M. Shafiqur Rahman	
1976-77:	President	Mr. Ahmed Sobhan	
19/0-//.	Secretary	Mr. H.K. Abdul Hye	
1977-78:	President	Mr. T.H.Khan	
19//-/0.	Secretary	Mr. Shah Md. Sharif	
1978-79:	President	Mr. Syed Ishtiaq Ahmed	
19/0-/9.	Secretary	Mr. M. Hafizullah	
1979-80:	President	Mr. Khondker Mahubuddin Ahmed	
19/9-80:	Secretary	Mr. Syed Abul Mokarrum	
1000 01.	President	Mr. Dr. Rafiqur Rahman	
1980-81:	Secretary	Mr. Md. Ruhul Amin	
1981-82:	President	Mr. Mohammad Yeasin	
1981-82:	Secretary	Mr. Habibul Islam Bhuiyan	
1982-83:	President	Mr. Serajul Huq	
1902-03.	Secretary	Mr. Md. Fazlul Karim	
1983-84:	President	Mr. Shamsul Huq Choudhury	
1903-04.	Secretary	Mr. Giusuddin Ahmed	
1004 05.	President	Mr. Shamsul Huq Choudhury	
1984-85:	Secretary	Mr. Abu Sayeed Ahammad	
1985-86:	President	Mr Shamsul Huq Choudhury	
1980-80:	Secretary	Mr. A.Y. Masihuzzaman	
1006.07.	President	Mr. Shamsul Huq Choudhury	
1986-87:	Secretary	Mr. Abdul Baset Majumder	
1007 00.	President	Mr. Shamsul Huq Choudhury	
1987-88:	Secretary	Mr. Abdul Baset Majumder	
1000.00	President	Mr. Shamsul Huq Choudhury	
1988-89	Secretary	Mr. Md. Abdul Wahhab Miah (M.A. Wahhab Miah)	
1000 00.	President	Mr. Syed Ishtiaq Ahmed	
1989-90:	Secretary	Mr. Md. Abdul Wahhab Miah (M.A. Wahhab Miah)	
1000 01:	President	Mr. Dr. Kamal Hossain	
1990-91:	Secretary	Mr. Md. Fazlul Haque	
1001.00	President	Mr. Dr. Rafiqur Rahman	
1991-92:	Secretary	Mr. A.F.M. Mesbahuddin	
1000.00	President	Mr. Khondker Mahhubuddin Ahmed	
1992-93:	Secretary	Mr. A.F.M. Ali Asgar	

Period		Names of the Presidents and the Secretaries
1993-94:	President	Mr. Khondker Mahhubuddin Ahmed
	Secretary	Mr. Mahbubey Alam
1994 - 95:	President	Mr. M. Hafizullah
	Secretary	Mr. Mohammad Ozair Farooq
1995-96:	President	Mr. T.H. Khan
	Secretary	Mr. S.M. Munir
1996-97:	President	Mr. Shaukat Ali Khan
	Secretary	Mr. Nozrul Islam Chowdhury
1997-98:	President	Mr. Nazmul Huda
	Secretary	Mr. Zainul Abedin
1998-99:	President	Mr. Habibul Islam Bhuiyan
	Secretary	Mr. Abdul Awal
1999-2000:	President	Mr. Shafique Ahmed
	Secretary	Mr. Md. Saidur Rahman
2000-2001:	President	Mr. Mainul Hosein
	Secretary	Mr. Md. Shahidul Karim Siddique.
2001-2002:	President	Mr. Abdul Baset Majumder
		Mr. Md. Momtazuddin Fakir
	Secretary	
2002-2003:	President	Mr. Mohammad Ozair Farooq
	Secretary	Mr. M. A Hafiz
2003-2004:	President	Mr. Rokanuddin Mahmud
	Secretary	Mr. Md. Mahbub Ali
2004-2005:	President	Mr. Rokanuddin Mahmud
	Secretary	Mr. Bashir Ahmed
2005-2006:	President	Mr. Mahbubey Alam
	Secretary	Mr. M. Enayetur Rahim
2006-2007	President	Mr. M. Amir-ul-Islam
	Secretary	Mr. A.M. Amin Uddin
2007-2008:	President	Mr. M. Amir-ul-Islam
	Secretary	Mr. A.M. Amin Uddin
2008-2009:	President	Mr. Shafique Ahmed
	Secretary	Mr. Md. Nurul Islam Sujan
2009-2010	President	Mr. A.F.M. Mesbahuddin
	Secretary	Mr. S.M. Rezaul Karim (শ. ম. রেজাউল করিম)
	President	Mr. Khandker Mahbub Hossain
2010-2011:	Secretary	Mr. Bodruddoza Badal
	President	Mr. Khandker Mahbub Hossain
2011-2012:	Secretary	Mr. Bodruddoza Badal
	President	Mr. Zainul Abedin
2012-2013:		
	Secretary	Mr. Momtazuddin Ahmed (Mehedi)
2013-2014	President	Mr. A.J. Mohammad Ali
	Secretary	Mr. A.M Mahbub Uddin Khokon
2014-2015	President	Mr. Khondker Mahbub Hossain
	Secretary	Mr. A.M Mahbub Uddin Khokon
2015-2016	President	Mr. Khondker Mahbub Hossain
	Secretary	Mr. A.M Mahbub Uddin Khokon
2016-2017	President	Mr. Mohammad Yusuf Hussain Humayun
	Secretary	Mr. A.M Mahbub Uddin Khokon
2017-2018	President	Mr. Zainul Abedin
2017-2016	Secretary	Mr. A.M Mahbub Uddin Khokon
2018-2019	President	Mr. Zainul Abedin
	Secretary	Mr. A.M Mahbub Uddin Khokon
2019-2020	President	Mr. A.M. Amin Uddin
	Secretary	Mr. A.M Mahbub Uddin Khokon
2020-2021	President	Mr. A.M. Amin Uddin
	Secretary	Mr. Md. Ruhul Quddus Kazal
2021 2222	President	Mr. A.M. Amin Uddin
2021-2022	Secretary	Mr. Md. Ruhul Quddus Kazal

Supreme Court Museum

On 27th October, 2014, the then Honourable Chief Justice of Bangladesh, Mr. Justice Mozammel Hossain inaugurated Bangladesh Supreme Court Museum. The formation of the Supreme Court of Bangladesh has a historical foreground. The history of this sub-continent testified that in the year of 1726 the legal system of this Sub-Continent got its new form, when King George-I issued a charter changing the judicial administration of the Presidency towns of Calcutta, Bombay and Madras, through which the Civil and Criminal Courts, as established, started deriving their authority from the king.

The first ever Supreme Court in the Indian Sub-Continent was established under the East India Company Act, 1773. Thereafter, Calcutta High Court was established replacing the Calcutta Supreme Court under the East India (High Courts of Judicature) Act, 1861. It is worth mentioning that in 1833, a law was passed to the effect that against any judgment of Higher Courts of India, an appeal could be preferred before the Privy Council in England. In 1950 another law was passed to abolish the provision of appeal before the Privy Council.

Two independent dominions, India and Pakistan, were established under the Indian Independence Act, 1947. In exercise of the powers conferred by section 9 of the Indian Independence Act, 1947, the Governor General promulgated the High Courts (Bengal) Order, 1947 on 11th August, 1947. This act established first ever higher court in the soil of Bangladesh, which was better known as Dhaka High Court. The first two constitutions of Pakistan had a provision that the Supreme Court of Pakistan would hold at least two of its sessions in Dhaka every year.

After the historic independence, the High of Bangladesh was established under Article 9 of the Provisional Constitution of Bangladesh Order, 1972. Dated 11th January 1972. The present Supreme Court of Bangladesh was established under Article 94 of the Constitution of Bangladesh, 1972. Father of the Nation Bangabandhu Sheikh Mujibur Rahman inaugurated the Supreme Court of Bangladesh on 18th December, 1972. Supreme Court of Bangladesh officially started functioning on 18th December, 1972 which is now observed as "Bangladesh Supreme Court Day". Bangladesh Supreme Court Museum was established in order to materialize the thrilling history of evolution of legal system in independent Bangladesh from 1600 to 1972. Its exposition demonstrates the history of the Bangalee judicial system from the eighteenth century to the present day. Hundreds of exhibits accordingly reflect the Bangalee judicial experience as a whole and the history of the Supreme Court of Bangladesh in particular. These include carefully selected judgments including the historic Bhawal Sanyasi Case, documents including several volumes of the landmark Agartala Conspiracy Case proceedings, used furniture, portrait of the Father of the Nation, portraits of the former Chief Justices, awards, ceremonial apparel and various other artifacts. The museum portrays and projects the evolution of the nation's judicial system enabling posterity to appreciate the important stages of such process over the centuries.

The Portrait of Father of the Nation Bangabandhu Sheikh Mujibur Rahman Preserved in the Supreme Court Museum



Historical Items Preserved in the Supreme Court Museum



Photograps of hanging Punkha and a Punkha puller. This Punkha is collected from Patiya Chowki , Court of Chattogram District.





Brief history of hanging Punkha.



The wall clock used in the Calcutta High Court and the then Dhaka High Court.



Dressing table used by the Honourable Justices of the Calcutta High Court and the then Dhaka High Court.







- 1. The Chair used in the ejlas of Honourable Justices of the Calcutta High Court and the then Dhaka High Court.
- 2. The Chair used in the chamber of Honourable Justices of the High Court and the then Dhaka High Court.
- 3. The Chair used in the ejlas of Honourable Chief Justice of the then Dhaka High Court.



The old manual Bangla Typewriter used in the then Dhaka High Court. $\,$



A memento featuring the facade of the Main Building of the Supreme Court of Bangladesh.



Scale Model of the High Court Building, Dhaka (Present Main Building of the Supreme Court of Bangladesh).



Judgments of the Case of Bhawal Sanyasi which was sent by learned District & Sessions Judge Mr. Md. Abdul Mojid from the Record Room of District Judges' Court, Dhaka.

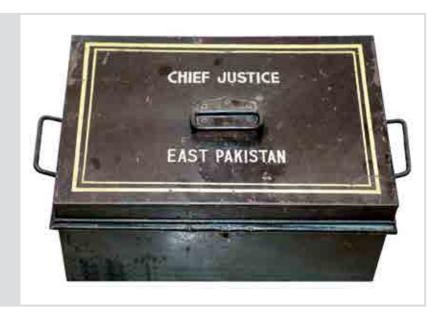






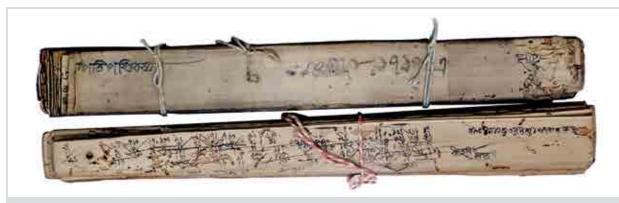
The original handwritten Constitution of the People's Republic of Bangladesh.

Trunk used by the Honourable Chief Justice of Dhaka High Court.





The gown, wig and band used by the Honourable Chief Justice of Dhaka High Court.



This is a judgment of a partition suit written on palm leaves in Sanskrit in the year 1710. This judgment was sent from the Record Room of District & Sessions Judges' Court, Barishal to District & Sessions Judges' Court, Patuakhali. After that it was collected from the Record Room of the District & Sessions Judges' Court, Patuakhali.



The inkpot, pens and nibs used by the Honourable Justices.



The wig used by the Honourable Chief Justice of the then Dhaka High Court.



Photo Album



Front view (aerial) of the Main Building of the Supreme Court



| Inner courtyard of the Main Building of the Supreme Court



| Inner courtyard of the Main Building of the Supreme Court



| Inner courtyard of the Main Building of the Supreme Court



Supreme Court Judges' Lounge



| Conference Room of the Supreme Court



| Main Gate of the Supreme Court



| Front view of the Main Gate of the Supreme Court



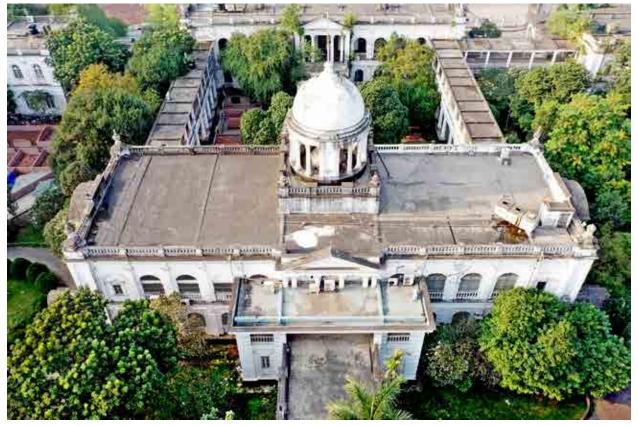
| Corridor of the Supreme Court Main Building



| Staircase and landing of the Old High Court Building



Old High Court Building



| Old High Court Building (Aerial View)



| Annexe Building of the Supreme Court



 \mid View from Annexe Building of the Supreme Court



| Annexe Building of the Supreme Court (Inner Side)



Annexe Building of the Supreme Court (Front Side)



| Bijoy 71 Building of the Supreme Court



Front view of the Main Building of the Supreme Court



| The Main Building of the Supreme Court illuminated in commemoration of the Supreme Court Day, 2021