

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

**WRIT PETITION NO. 3380 OF 2006**

**IN THE MATTER OF:**

An application under Article 102 read with Article 44 of the Constitution of the People's Republic of Bangladesh.

**A N D**

**IN THE MATTER OF :**

Enforcement of fundamental Rights guaranteed under Article 27, 31, 40, 41, 42, and 43 of the Constitution of the People's Republic of Bangladesh.

**A N D**

**IN THE MATTER OF :**

Public Interest Litigation (PIL)

**AND**

**IN THE MATTER OF :**

1. Human Rights Congress for Bangladesh Minorities (HRCBM), Bangladesh Chapter, represented by its President, Advocate Rabindra Ghosh, 41/0 Azimpur Estate, P. S. Lalbag, District – Dhaka.

2. Human Rights And Peace For Bangladesh (HRPB) Represented by it's President of the Executive Committee, Manzill Murshid, 36, B-1, Mirpur Road, Boshundhora Goli, P.S. Dhanmondi, Dhaka-1205.

.... Petitioners

**-VERSUS-**

1. Government of the People's Republic of Bangladesh, represented by the Secretary, Ministry of Home Affairs, Bangladesh Secretariat, P.S. Raman, District-Dhaka.

2. The Secretary (Cabinet Division), The Government of Bangladesh, Bangladesh Secretariat, P.S. Raman, District-Dhaka.

3. Inspector General of Police (IGP), Police Bhaban, Phulbaria, P. S. Ramna, District-Dhaka.

4. Additional Inspector General of Police (Head Quarter), Police Bhaban, Phulbaria, Police station- Ramna, District-Dhaka.

..... Respondents.

**AND**

**IN THE MATTER OF:**

Inaction of the Respondents to protect persons and the properties of the citizens belonging to religious minority and failure to perform the duties to take legal action against the miscreant/terrorist/accused of the incident and continues ignoring the responsibility vested upon them as per the constitution.

To

Mr. Justice Syed J.R.Mudassir Husain, the Chief Justice of Bangladesh and his companion Justices of the said Hon'ble Court.

The humble petition of the petitioners above named most respectfully:-

**S H E W E T H:**

1. That the Petitioner No.1 is the Human Rights Congress for Bangladesh Minorities (HRCBM), Bangladesh Chapter, represented by its President Advocate Rabindra Ghosh. The organization is registered before the Joint Stock Companies, Dhaka and working in Bangladesh through a National Committee. It is a Worldwide Organization having its Head Office at Santa Clara, California, U. S. A. The function of the organization is to establish human rights in the country, to stop anti human rights activities, to protect the religious minorities in Bangladesh from persecution and to bring the offenders to justice for punishing them for their criminal conducts. The organization also working to promote worldwide campaign on "THE *PLIGHTS* OF BANGLADESH MINORITIES". The petitioner is providing legal assistance to religious minorities of Bangladesh. He is also co-coordinating amongst the organizations who serve "Bangladesh Minorities" and he is working with UN to help the oppressed Bangladesh Minorities".

2. That the petitioner No.2 is the Human Rights and Peace for Bangladesh, represented by its Executive President Advocate Manzill Murshid. He is a regular practitioner of this Hon'ble Court and a human rights activist. That the organization Human Rights and Peace for Bangladesh (HRPB) is a registered non profitable organization under the Registrar of Joint Stock Companies and Firms, Bangladesh. HRPB is established to uphold the cause of Human Rights and to protect the fundamental rights of the citizens. The organization is playing a vital role to fight for the cause of human rights and peace in Bangladesh. The organization HRPB is giving legal aid to the poor people, working to increase awareness about human rights and filling public interest litigation in case of violation of fundamental rights human rights.

3. That the Respondent No.1 is the Secretary, Ministry of Home Affairs, Bangladesh Secretariat, Government of the People's Republic of Bangladesh, Dhaka. The Respondent No.2 is the Secretary, Cabinet Division, Bangladesh Secretariate, Government of Bangladesh, Dhaka. The Respondent No.3 is the Inspector General of Police, Police Bhaban, Phulbaria, Police Station – Ramna, Dhaka. That the Respondent No.4 is the Additional Inspector General of Police (Head Quarter), Police Bhaban, Phulbaria, Police Station – Ramna, Dhaka. That the addresses of the petitioners and the respondents given in the cause title of this petition are correct and genuine for the purpose of service notices upon them.

4. That the constitution of Bangladesh has provide for all citizen to enjoy equal protection of law, to be treated in accordance with law, freedom of profession/occupation, freedom of religion, right to acquire property and protection of home. But the persons of religion minority are depriving from the above mentioned fundamental rights guaranteed under Article 27, 31, 40, 41, 42, and 43 of the Constitution of the People's Republic of Bangladesh. The respondents are the chiefs of the law-enforcing agency. Duty and responsibility vested upon them to protect persons and property of any citizen of the country. They are also duty bound to take legal action against the offenders of any offence through their field agency. It is the duty of the respondents to bring the offenders/accused to the justice but they have failed to perform the duties and responsibility as per the constitution. They also ignored to take legal action hundreds of different offences against the religious minorities. They have failed to protect religious minorities from eviction, torture, humiliation, persecution, rape and killing. In thus way the fundamental rights of the religious minority have been seriously violated.

5. That it is stated here that it is in the interest of the petitioners and for the benefit of the citizens belonging to religious minorities of the country and in order to establish the right to property, to get protection of law, to enjoy religion festival and to be treated in accordance with law, the petitioners move this public interest Litigation (PIL) before this

Hon'ble court and as it involves great public importance so this petition may be treated as public interest litigation.

6. That the since the declaration of the schedule of the 8<sup>th</sup> General Election, which was held on October 01, 2001, there have been a number of reported incidents of assault, intimidation and arson on the person and property of citizens belonging to the religious minority community, across the county which is still continuing in different ways which has been and being reported in all National Daily Newspapers. Such acts of assault, rape, ill-treatment, torture and intimidation were being conducted with the motive of preventing the voting right freely and fearlessly and as a result of which the members of the minority community voters could not exercise their right of franchise freely rather after the national assembly election they have been subjected to torture, humiliation and the womenfolk of their community being raped and sexually harassed which if being reflected in different national dailies and the same act being violative of the fundamental right of the minority community. That humiliation as mentioned above has not been ended rather the same is being increased than that of before in different ways and forms and the respondents being unconcerned rather trying to suppress the inhuman acts.

7. That it is stated here that after the parliament election 2001, the situation was deteriorated rapidly. Various national daily newspapers published reports of assault, torture, humiliation and intimidation upon the members of the religious minority community in several areas of the country. Persons and property of the religious minority were targeted by the miscreants after the parliament election. The daily Prothom Alo on October 7, 2001 has published a report stating that in Chandina, Devidwar, Chouddagram and Nangolkot Thana under Comilla District, the miscreants have robbed all the properties of the poor members of Hindu Community and they are starving now in fear and agony. The same newspaper has also reported on October 6, 2001 incidents of persecution of religious minorities in Kishoregonj, Sharankhola of Bagerhat, Baufolof Patuakhali, Jhalokathi, Manikgonj and Narail. On October 11, 2001 the same newspaper published a report that the house of Hindu inhabitants were looted, the idols of worship were damaged and females were raped in Nagarkanda and Bhanga of Faridpur District and in Patharghata and Amtoli of Borguna District. On October 12, it was published reports of attacks on Hindu people in Kishoregonj, Bagerhat, Patuakhali, Jhalakati, Manikgonj and Narail. On that day it was also published news of attacks and looting of the houses of Hindu community and of extortion in Munshiganj, Bagerhat, Shariatpur and Nowabgonj Districts. On 15<sup>th</sup> October 2001, this same dailies published another report stating that the terrorists were posing threats against the Hindu community in the very presence of police in Bujrukkola in



Bagmara Upazila in Rajshahi District. The news also disclosed incidents of looting and attacks on the person and property of the poor Hindu people. The Daily Jugantar published a news on 12<sup>th</sup> October, 2001 which stated that in the aftermath of the parliament election, the members of the Hindu community were being persecuted in several parts of the country including Agoiljhara of Barisal, Alfadanga of Faridpur, Kaliganj of Jhenidaha, Kapasia of Gazipur District. The Daily Janakhantha published a report on 12<sup>th</sup> October, 2001 that at least fifteen thousand Hindus from five districts became refugee in Ramshil. The Daily Ittefaq published a report on 15<sup>th</sup> October, 2001 stating that in Jhalakati District, the members of the Hindu community were persistently being under attacks and the temples were damaged by the alleged supporters of the Ruling party. The Daily Bhorer Kagoj published a report on 13<sup>th</sup> October, 2001 that the families who became refuge in Ramshil they are not assured by the local administration to return to their homestead. Moreover they are apprehending malicious proceedings in case of their returned to their homestead. The Daily Sangbad published a report on 11<sup>th</sup> October, 2003 that the Hindu persons and persons belonging to ethnic minority community were facing assaults and threats in Rajshahi District and the temples and idols of worships were also damaged by the miscreants.

8. That a report published in Daily Sangbad on 16<sup>th</sup> October, 2001 that in Khanjapur Union of Gournadi Upazila in Barisal District two persons,

who happened to be brothers, were forced at gunpoint by a gang of miscreants to come out of their house and then their wives were raped. The reason of this torture was their alleged support for a particular political party. The Daily Bhorer Kagoj also published a news item on 16<sup>th</sup> October, 2001 which stated that in Ajimnagar village of Bhanga Upazila in Faridpur District a college going Hindu girl was raped in front of her mother for the same alleged reason. Another report published in Daily Prothom Alo on 24<sup>th</sup> October, 2001 stating that in Vendorbari village of Lalmohan Upazila in Bhola District, Hindu females from different villages around the locality took shelter because of the impending threat on them. That on 2<sup>nd</sup> October 2001, miscreants ravaged the Hindu females, including girls of even 8 years, and several females were raped at that night. In almost all of these incidents, the victims were threatened not to take any legal action to the police. That the families of the victims, apart from a few exceptions, refrained from filing cases against the criminals. The Daily Sangbad published a report on 12<sup>th</sup> October, 2001 that in Banglabazar of Sadar Upazila of Munshigonj District, one college going and two school going Hindu girls were abducted. The daily Janakhanta published a report on 13<sup>th</sup> October, 2002 of several incidents of rape in Bagerhat District. It is published a report that in village Gaola of Rampal Upazila, there have been massive rape incidents of Hindu girls. In Baroipara village, a gang of 20.22 persons raped even a pregnant housewife, who also happened to be Hindu. The Daily Itfaq published a report on 15<sup>th</sup> October, 2001 that in

village Rajarchar of Chormonai Union of Kotwali Thana of Barisal district, wife, sister and daughter of one Pabitra Kumar were raped by the miscreants and their house was looted just four days before. It was reported in Daily Bhorer Kagoj on 19<sup>th</sup> October, 2001 that a Hindu girl was raped in Hoglapasha village of Patharghata Upazila of Borguna District. The Daily Janakhanta on 20<sup>th</sup> October published another pathetic story of school-going girl named Purnima Rani Shil who was raped in Purba Delua village of Ullapara Thana of Sirajgonj District.

9. That in the year of 2002 similarly the religion minorities were targeted by the miscreant and the Respondents have failed to protect them. Some of the incidents are mentioning here as follows;

- i. that on 01.08.2002 the Daily Prothom Alo published a report that 13 shops of the religious minority at Damdama , Upazila – Miresarai, Distirct – Chittagong were attacked and looted by 25.30 miscreants led by Abul Kalam.
- ii. that the Daily Janakhantha dated 02.08.2002 published a news that Moloy Halder and Uttam Halder of Damdama , Upazila – Miresarai, Distirct – Chittagong came under brutal attack by the Juba Dal miscreants led by Habib and Azim as they refused to pay them donation.

- iii. that the Daily Janakantha on 03.08.2002 published a report that Freedom Fighter Maya Ram Biswas (50) came under brutal attack by the miscreants. She was seriously injured at village – Mizzarchak under Upazila Jakigonj, District – Sylhet.
- iv. that the Daily Ajger Kagaj dated 04.08.2002 published a report that a gang of miscreants led by B. N. P. cadres K. M. Nayek Ali, Sattar, Saidur and Khaleque attacked the houses of tribal community. The miscreants occupied their houses and land. Tribal men were seriously beaten and women were raped at village – Mukundapur, Upazilla – Damairhat, District – Noagaon.
- v. that the Daily Janakantha dated 05.08.2002 published a report that Khokan Das bhowmik worker of Tamalika Jewellers was kidnapped and killed by the miscreants at Upazilla- Sadar, District – Gazipur.
- vi. that the Daily Sangbad dated 05.08.2002 published a report that a girl Shapla, daughter of Dulal Chandra Das was kidnapped by miscreants Hannan, Chand Mia and Salimuddin at Village – Kandipara, Upazilla – Kuktagacha, District – Mymensingh.
- vii. that Daily Bhorerkagaj dated 05.08.2002 published a report that Shanta Chandra Das of village – Pubail, Upazila – Tongi, District

– Gazipur was attacked by Md. Ali as she refused to give donations.

- viii. That the Daily Janakantha dated 05.08.2002 published a report that the miscreants occupied 3 Shrimp cultivation centers of Binoy Singh, one Shrimp centre of Haripada Sarker and one centre of Haralal Majumder of villae – Surigati, Upazilla – Chitalmari, District – Bagerhat.
- ix. that the Daily Janakantha dated 05.08.2002 published a report that three houses of religious minority were attacked and looted. Five minority members were injured during the attack at Village – Singda, Upazilla – Shalikha of District – Magura.
- x. that the Daily Janakantha dated 06.08.2002 published a report that the Image of Lord Bouddha of Rakhyin Palli Agathakur para Temple was looted by the miscreants at Upazilla- Kalapara, District Patuakhali.
- xi. that the Daily Bhorer Kagaj dated 06.08.2002 published a report about 40 armed miscreants attacked the house of Dr. Rajani of village – North Dhurang, Upazilla – Fatikchhari, District Chittagong. They looted the valuable things.

- xii. that the Daily Janakantha on 08.08.2002 published a report Abhijit Chowdhury Antu was killed by the miscreants led by Chatra Dal cadres Utbatul Bari Abu and Titu of District – Comilla.
- xiii. that Daily Bhorer Kagaj dated 08.08.2002 published a report that a group of miscreants led by brother of B. N. P. Leader Harun-ur Rashid M. P. attacked the hosue of Bishwanath Bhattcharya of Village – Halderpara, District. Brahmanbaria . His house was occupied.
- xiv. that the Daily Sangbad dated 08.08.2002 published a report that Ganga Rani Debnath, a girl student of class ten was kidnapped by the miscreants led by Yusuf Shahjahan at village – Hasli under Upazilla – Madhupur, District Brahmanbaria.
- xv. that the Daily Prothom Alo dated 09.08.2002 published a report that about 70.80 miscreants led by Abdulla Mia and Sajedul launched a brutal attack on the Tribal Khasia community. Twelve Khasia were seriously injured at village – Balarmpunji, Upazilla – Kulaura, District – Moulvibazar.
- xvi. that the Daily Janakantha dated 10.08.2002 published a report that miscreants launched brutal atack on Palak Sarker, Biswanath Sarker, Sridam Das and Sushanta Adikhari of village – Sonakud,

Upazilla – Digalia, District – Khulna. They left the area for unknown place.

xvii. that Daily Ajker Kagaj dated 10.08.2002 published a report that Dr. Amullya (45) was attacked and tortured by the miscreants led by B. N. P. cadres Jahir Khalifa and Alamgir at village- Nalbunia, Upazilla- Nalchiti and District – Jhalakati.

xviii. that daily Janakantha published a report on 10.08.02 that Hira Mandal was attacked and tortured by the Sibir cadre Rakib at Mother Box Hall, Rajsahi University, District Rajsahi.

xix. that daily Bhorer Kagaj dated 11.08.2002 published a report that Fundamentalists attacked a temple of Goddess Kali at Village – Ramchandrapur, Upazilla – Morelganj, District – Bagerhat.

xx. that Daily Janakantha published a report that 11.08.2002 published a report that a Tribal girl Lalinta Sumi (12) and Cayaching (40) were attacked and tortured by B. N. P. miscreants at Village – Chatianpara, Upazilla – Galachipa, District Patuakhali.

xxi. that the daily Jahakantha published a report on 12.08.2002 that a tribal school teacher, daughter of Gopal Chandra Mahato was

kidnapped and gang raped by the miscreants led by Mijanur Rahman and Yunus.

- xxii. that Daily Prothom Alo dated 13.08.2002 published a report that the miscreants led by Idris Maishan occupied a *cremation* ground of Hindu community at village – Krishnapur, Upazilla- Sadar, District – Comilla.
- xxiii. that the daily Sangbad dated 13.08.2002 published a report that the house of Dilip Maondal and Adhir Mondal were looted by a gang of miscreants at village – Betgali, Upazilla – Sadar, District- Bagerhat.
- xxiv. that the Daily Bhorer Kagaj dated 13.08.2002 published a report that a gang of armed miscreants led by Alamgir attacked the house of Ratan Majumder. Four members of his family were seriously injured at village – Gabadergaon, Upazilla – Faridganj, District – Chandpur.
- xxv. that the daily Bhorer Kagaj dated 13.08.2002 published a report that a group of miscreants led by Keramuddin attacked the house of Prafullya Kumar Mondal. His land property was occupied by the miscreants at Village – Digrirchar, Upazilla – Sadar, District- Faridpur.



- xxvi. that the Daily Ajker Kagaj published a report on 14.08.2002 that Tinku Das (10) a girl student of class seven is allegedly to have committed suicide. She committed suicide as she was harassed by the miscreants earlier in Upazilla – Sadar, District Magura.
- xxvii. that the daily Prothom Alo dated 14.08.2002 published a report that a tribal Hindu housewife was raped by miscreants Forkanul Hamid at Village – Asada, Upazilla – Satiya, District – Pabna.
- xxviii. that the Prothom Ali dated 14.08.02 published a report that a gang of miscreants launched brutal attack on a Hindu officer of a post office. They demanded donation of Tk.50,000 otherwise he would be killed, they threatened in Upazilla – Sadar, District –Rajshahi.
- xxix. that the daily Sangbad on 14.08.2002 published a report that an old tribal man Harendra Nath Malon (Haren) was killed by the miscreants in village Chandpur, Upazilla – Panchbibi under District – Joypurhat.
- xxx. That the daily Sangbad dated 16.08.2002 published a report that a gang of miscreants led by Nazrul Sheik, Abdul Haq, Rabiul , Safiul, Razzak and Alta attacked the house of Premananda Biswas. The miscreants looted valuable things and occupied the

house at village –Gopalganj, Upazilla – Tungipara, District Gopalganj.

- xxxii. that the daily Sangbad dated 17.08.2002 published a report that a temple of Goddess Kali was occupied by the miscreants. The fundamentalists threatened Hindus to leave the country at village – Nehalpur, Upazilla- Manirampur, District- Jessore.
- xxxiii. the daily Janakantha dated 19.09.2002 published a report that a gang of miscreants launched brutal attack on Manika Roy (24) as they failed to rape her at Village – Gabha, Upazilla – Banaripara, District – Barisal.
- xxxiiii. that the daily Ittefaq dated 21.08.2002 published a report that three Images of God and goddess were destroyed by the fundamentalists. Sudamini (55), Bharati (30), Joydev (80), Kartik (50) and Binode (40) were seriously wounded in the attack at village – Bagar, Upazilla – tangibari, District – Munshigonj.
- xxxv. that the daily Ajker Kagaj of 22.08.2002 published a report that some miscreants led by Jamat cadres attacked the house of Bimal Ghose, six members of his family including women were injured during this attack at village – Darbasti, Upazilla – Sadar, District – Satkhira.

- xxxv. that the Daily Sangbad dated 25.08.2002 published a report that on August 21, while Chhabi Rani Mondal was returning home from the Bagerhat Court, a group of B. N. P. terrorists led by B. N. P. leader Basher Kai picked her up from Rampal bus stand and took her local B N. P. office where they physically tortured her, cut off her hair, stripped her naked and photographed her in Upazilla Rampal, District – Bagerhat.
- xxxvi. the daily Prothom Alo dated 24.08.02 published a report that miscreants entered into the house of Khokan Basu (35) at the mid night and threw acid on him at village vilage – Machuarpuh, Upazilla – Chitalmari, District-Bagerhat.
- xxxvii. that the daily Janakantha dated 24.08.2002 published a report that the fundamentalists killed a Hindu Priest Ammullya Rani das (70) at village – Zoranagar Upazilla –Baniachung, District- Habiganj.
- xxxviii. that the daily Prothom Alo and the daily Jugantar published a report that on 24.08.20 that all Images of goddes Kali of two temples of Hemendra Pal and Paresh Pal were destroyed by the fundamentalists at village – Palpara, Upazilla- Sadar, District – Netrokona.

- xxxix. the daily Ajker Kagaj reported on 26.08.2002 that Tapati Mondal (15) a girl student of class X was kidnapped by Sohel Rana and his group at Upazilla -Shalikha, District – Magura.
- xl. that the daily Bhorer Kagaj on 27.08.2002 published a report that miscreants launched brutal attack on the 10 tribal families. They were forced to leave the area for unknown places at village Trival Palli, Upazilla – Niyamatpur, District Noagaon.
- xli. that the daily Ajker Kagaj dated 27.08.2002 published a report that Rantu Acharya was attacked and tortured by the miscreants in front of Hotel Sarmat at Upazilla –Sadar, District – Sylhet.
- xlii. that the daily Jugantar published a report that on 31.08.2002 that the miscreants led by B. N. P. cadre Rob attacked the house and temple Shachindra Nath Mondal of Village - South Fainmukhi, Upazilla- Paikgacha, District-Satkhira. They ransacked the temple and house. The miscreants looted and took away the valuable things.
- xliii. That the daily Jugantar dated 05.09.2002 published a report that the miscreants Omar Faruk threatened to kill Rina Rani Dey of Dhaka City.

- xliv. that the daily Sangbad dated 07.09.2002 published a report that a school student Sipra Rani Sarker (14), daughter of Narayan Chandra Sarker was kidnapped by the miscreants at village – Chatal, Upazilla – Katiyadi, District- Kishoreganj.
- xlv. that the daily Sangbad dated 08.09.2002 published a report that Prafullya Sarker (45) was killed by the miscreants led by Yasin Mrida of village – Mashail, Upazilla-Ghoir, District – Manikganj.
- xlvi. that the Prothom Alo dated 10.07.2002 published a report that Shefali Rani of Village –Dharmapur-Maihipara, Upazilla-sundarganj, District Gaibandha sustain serious burn injured when miscreants led Abdus Samad threw acid on her.
- xlvii. that the daily Ajker Kagaj dated 13.09.02 published a report that Subodh Rani Nath (12) , daughter of Subadh Nath was kidnapped by the miscreants led by Chatra Dal leader Saidur of village – Iswar, Upazilla- Muktagacha, District-Mymensingh.
- xlviii. The daily Ajker Kagoj dated 19.09.2002 published a report that the Image of Goddess Durga was destroyed by the miscreants lead by Sona Mia and Masud . Animesh Das was seriously beaten up as he refused to give donations to the miscreants at village – Amtala, Upazilla- Sadar, District –Netrokona.

- xlix. that the daily Sangbad dated 21.09.2002 reported that the Image of Durga of a temple was destroyed by the fundamentalists at Nishanbari, Upazilla Keranigonj, District Dhaka.
1. that the Daily Bhorer Kagaj dated 23.09.2002 published a report that Naru Howalder was forced to leave the country as he refused to give donations led by Union B. N. P. President Chand Chairman of village –Narpara, Upazilla- Sarishabari, District- Jamalpur.
- li. that that Juba Dal leader Hossain threatened Subrata Saha to kill him as he refused to pay donation as reported by the daily Janakantha dated 25.09.02 at Gopalganj.
- lii. that the daily Ajker Kagaj dated 28.09.2002 published a report that the Image of goddess Durga of a temple at village –Mandata, Upazilla- Dowlatpur, District-Manikganj was destroyed by the fundamentalists.
- liii. that it is reported in the daily Janakantha on 11.09.2002 that the miscreants led by Al-Mamun occupied the house of Anil. His son was forced to leave that area of Upazilla-Sadar, District – Jhalakati.

- liv. that the daily Sangbad on 10.09.2002 published a report that Dhipri Chakma (35) a tribal woman (35) was tortured by the miscreants at village – Sapchari, Upazilla-Sadar, District-Rangamati.
  
- lv. that the daily Sangbad published a report that a group of armed miscreants attacked the house of Janardan to rape his two daughters, Shika Rani (16) and Shiuli Rani (14) . As they were not available there miscreants launched brutal attack on Janardan of village Bangha Kha, Upazila-Sadar, District-Laxmipur.
  
- lvi. that the Daily Protom Alo on 14.09.2002 published a report that a gang of miscreants launched a brutal attack on the tribal community. About 50 tribal men and women left for unknown places of village – Matherbunia, Upazilla- Ukhia of District – Cox’s Bazar.
  
- lvii. that the Daily Ajker Kagaj published a report on 18.09.2002 that Khudiram Barua came under brutal attack by 20.25 B. N.P. cadres. They looted fishes from his pond of village - Guman Mardan, Upazilla – Hathazari, District-Chittagong.

- lviii. that the daily Sngbad published a report on 23.09.2002 that a gang of miscreants killed a Hindu businessman named Maran Chandra Das (4) of village – Khumkhali, Upazilla – Faridganj under District-Chandpur.
- lix. that the daily Bhorer Kagaj published a report on 24.09.2002 that a gang of miscreants led by Jalil Majhi, Awal Majhi and Mizan Majhi attacked the house of Sukumer. As he was not available there they ransacked his house. His wife Manju Rani (45) was seriously wounded in the attack at village – Matlab of District-Chandpur.
- lx. that the daily Bhorer Kagaj published a report on 25.09.2002 that Dhiman Dhar at Chittagong City was killed by the miscreants as he refused to pay them donation.
- lxi. that the daily Prothom Alo dated 25.09.2002 published a report that Dr. Parimal Chandra Basak and his family left their house for unknown places as they refused to give donation to the miscreants led by Enamul Haq.
- lxii. that the Daily Janakantha dated 02.09.2002 published a report that Gouranga Chandra Roy, a caretaker of a Marorai Business house



was killed by the miscreants. His wife Lalmati (35) was seriously beaten up of upazilla- Kisoregonj, District-Nilphamari.

- lxiii. that the daily Janakantha dated 09.09.2002 published a report that Sagarika Halder (18) was kidnapped at gunpoint by the miscreants at village – South Sultanpur, Upazilla-Sadar, District- Noagaon,
- lxiv. that daily Janakantha dated 09.09.2002 published a report that a Hindu girl named Shefali Rani (13) of village –Dharmapur Majhipara, Upazilla Sundarganj, District-Gainabdha sustained serious burn injuries when Abdus Samad threw acid on her.
- lxv. that the daily Sangbad dated 11.09.2002 published a report that a night guard of a school, Dijendra Nath Mali was killed by the miscreants of village – Kangail, Upazilla – Gabtali, District Bagura.
- lxvi. that the daily Sangbad and the daily Bhorer Kagaj dated 13.09.2002 published a report that four party alliance cadres Bahini threatened Mohan Agarwala, Grath Agarwala, Shree Bikash, Shree Pia, Shree Ram Prasad Agarwala and other 12 Hindu businessmen of village - talora Bazar, Upazilla-Dhupchachia, District-Bogra to leave the country.

- lxvii. that the daily Janakantha reported on 15.09.2002 that a cremation ground was occupied by local miscreants at Upazilla-Parbatipur, district-Dinajpur.
- lxviii. that the Daily Janakantha reported on 22.09.2002 that the miscreants led by Biplob, Abul Kalam Azad and Salam occupied 80 bighas of land of Hindu and Tribal communities at village-Bil Shikari, Upazilla- Madhabpur, District-Noogaon.
- lxix. that the daily Janakantha dated 22..09.2002 published a report that Laxmi Rani (30) was kidnapped by the miscreants led by Dulal and Sobhan . She was seriously beaten up of village –Majhipara, Upazilla- Rajarhat, District-Kurigram
- lxx. that the Daily Sangbad reported on 29.09.02 that the Image of Goddess Durga at a temple was destroyed by the fundamentalists at viullage- Rather Bazar, Upazilla – Sadar, District-Gaibandha.
- lxxi. that the Daily Janakantha dated 12.09.2002 published a report that a group of armed miscreants launched a brutal attack on Chota Babu (35) and Nirmal Kumar of village-Mirzapur, Upazilla-Kalia, District- Narail. They were seriously injured.

- lxxii. that the daily Janakantha reported on 12.09.2002 that Hindu community were attacked and tortured by the miscreants as they refused to give donations of village – Dhalgram, Upazilla-Bagharpara, District-Jessore.
- lxxiii. that the Daily Sangbad dated 20.09.2002 published a report that Ram Krishna Pal (35), a shrimp cultivator was brutally killed by the miscreants at village – Mahajan, Upazilla- Naragati, District-Narail.
- lxxiv. that the daily Sangbad reported on 21.09.2002 that the miscreants launched brutal attack on 30 Hindu families . They looted valuable things of the houses. Wives of Nirmal and Jagabandhu of village - Tengramari, Upazilla-Rampal, District- Bagerhat were gang raped.
- lxxv. that the daily Bhorer Kagaj dated 26.09.2002 published a report that Rajib Kundu of village- Alaipur Bazar, Upazilla-Rupsa, District- Khulna, was attacked and tortured by the armed miscreants.
- lxxvi. that the daily Sangbad dated 25.09.2002 published a report that the land of late Jagat Chandra Bachar as occupied by Abdus Sabur of Upazilla- Sadar, District- Sathkhira.

- lxxvii. that the daily Sangbad dated 26.09.2002 published a report that a gang of armed miscreants led by Esuf sheikh, Ful Mia Sheikh, Farid, Billal Sheikh, Dider Sheikh and Syed Sheikh attacked the house of Subash Chandra Kha. They looted valuable things . They also threatened them to leave the country. His mother (70) was seriously wounded at village Baladhana, Upazilla- Terkbada, District-Khulna.
- lxxviii. that the daily Bhorer Kagaj reported on 28.09.2002 that a Hindu wife was gang raped at gunpoint by the miscreants led by Masud Khan, Maruf Sikder and Bahar Khan of village –Kismat, Upazilla-Kachua, District-Bagerhat.
- lxxix. that the daily Sangbad dated 28.09.2002 published a report that the miscreants led by Rejaul attacked the house of Rabin Chowdhury of village – Par Koramara, Upazilla- Sadar, District-bagerhat and they threatened him to leave the country.
- lxxx. that the daily Jugantar dated 07.10.02 published a report that the miscreants attacked the house of Gobinda Sarder. The house was severely damaged of village – Fatepur, Upazilla-Kaliganj, District- Satkhira.

- lxxxii. that the daily Janakantha dated 08.10.02 published a report that Fanibhushan of village – gopalpur, Upazilla-Tungipara, District-Gopalganj was killed by some miscreants.
- lxxxiii. that the daily Janakantha dated 08.10.2002 published a report that 20/25 miscreants led by Ayub Ali, Yusuf , Wadis, Shibir, Yakub and Rahman occupied the hosue of Gendu Badai of village – Malakerpapra, Upazilla- Karaniganj, District-Dhaka.
- lxxxiiii. that the daily Ittefaq dated 15.10.2002 published a report that Cinu Rani ,a female worker was gang rapped to death by the miscreants at Lamapara, Fatulla, District-Narayangonj.
- lxxxv. that the daily Ittefaq dated 15.02.2002 published a report that the miscreants led by Nazmul Islam threatened Chandan Banik of Upazilla Katiadi, District –Kishoreganj and leaders of Biddut Sangha Puja Committee as they refused to pay donations.
- lxxxvi. that the daily Sangbad published a report on 18.10.2002 that Journalist Biman Bihari Das was attack and tortured by the miscreants.
- lxxxvii. that the daily Sangbad dated 20.10.2002 published a report that Hare Krishna Saha of village – Natun Bazar, Upazilla- Kalapara,

District-Patuakhali came under brutal attacked by the miscreants led by Sohag and Suman as they refused to pay them donations.

- lxxxvii. that the daily Janakantha published a report that some govt employees of P. D. B. occupied the land of Kashinath Debnath of village-Puran Bazar, Upazilla-Sadar, District-Madaripur.
- lxxxviii. that the daily Prothom Alo dated 27.10.2002 published a report that Radha Rani Baidya was kidnapped by the miscreants and police recovered her dead body after 11 days of village – Amgram, Upazilla- Raiair, District-Madaripur.
- lxxxix. that the daily Prothom Alo dated 28.10.2002 published a report that Gobinbda Chandra was killed by the miscreants. They looted goods, ornaments and valuable things from his shop at village Shahid Nizamuddin Road, Upazilla- Bhaluka, district-Mymensingh.
- xc. that the daily Janakantha dated 01.10.2002 published a report that the house of school teacher Narayan Smadder of village – Jhautala, Upazilla- Sadar, District-Barisal was occupied by the B. N. P. cadets.

- xc. that the daily Janakantha published a report on 08.10.2002 that the house of Jatindra Nath came under attack by the miscreants led by Khaleque Howlader of village – Bhabanipur, Upazilla-Nalchiti, District-Jhalakati.
- xcii. that the daily Prothom Alo dated 02.10.2002 published a report that Tribal men of village –Dhamuda, Upazilla- Gurudaspur, District-Natore came under attack and their young girls were raped by the miscreants Ringan (25) and Shukdev (30) were seriously beaten up.
- xciii. that the daily Prothom Alo published a report on 04.10.2002 that a group of miscreants attacked the house of Goutam chandra Modak as he refused to give them donations. The miscreants looted valuable things of his house at village – Bonarpara, Upazilla-Saghata, District-Gaibandha.
- xciv. that the daily Prothom Alo dated 07.10.2002 published a report that Bikash Das (26) of village – Birampur, Upazilla-Sadar, District-Dinajpur sustained serious burn injuries when miscreants threw acid on him.
- xcv. that the daily Janakantha dated 14.10.02 published a report that the house of tribal man Fulal Toppur was occupied by miscreants

Malek of village – Kuderpapra, Upazilla- Niyamatpur, District- Noagaon.

- xcvi. that the daily Bhorer Kagaj dated 23.10.2002 published a report that a group of miscreants attacked the house of Basudev Basu. They looted valuable things. Miscreants also threatened to kill him at Upazilla- Sadar, District- Rajshahi.
- xcvii. that the daily Prothom Alo dated 05.10.2002 published a report that Ranjit Ghose him of village – Sakhipur, Upazilla- Debhata, District-Satkhira sustained serious burn injuries when miscreants threw acid on.
- xcviii. that the daily Sangbad dated 06.10.2002 published a report that Deva Kundu (32) was killed by the miscreants of village-Alfa, Upazilla- Fultala, District-Khulna.
- xcix. that the daily Jugantar dated 09.10.2002 published a report that the house of a widow, Sundari Bala came under attack by the local miscreants led by Moniruzzaman of village – Fatepur, Upazilla- Kaliganj, District-Satkhira.



- c. that the daily Sangbad dated 21.10.2002 published a report that Debu Majumder (25) was kidnapped and killed by the miscreants at village –Teghri, Upazilla- Tala, District- Satkhira.
  
- ci. that the daily Sangbad dated 25.10.2002 published a report that a shrimp cultivator Hazari Lala Biswas was brutally killed by the miscreants at village – Kalukhali, Upazilla- Kalia, District- Narail.
  
- cii. that the daily Bhorer Kagaj dated 02.10.2002 published a report that Ganesh Chandra (38) was kidnapped by the miscreants and he was tortured brutally of village - Shahpur, Upazilla- Chatkhil, District-Noakhali.
  
- ciii. that the daily Sangbad dated 07.10.2002 published a report that Laki Pal was killed by the miscreants at village –Dabua, Upazilla- Raozan, District-Chittagong.
  
- civ. that the daily Sangbad dated 07.10.2002 published a report that Ani Mong (54) of village – Rajvilla, Upazilla – Sadar, District-bandarban was kidnapped and killed by the miscreants as he refused to give them donations.

10. That thousands of incidents happend in year of 2003 of which many of the incidents the police did not take any action as per the provision of law. Some of incidents are quoted below:

- i. That Daily Sangbad reported on 08.11.2003 that 2 minority girls namely Sumona and Rakhi were kidnapped from Dhanmandi, Dhaka.
- ii. That Daily Sangbad reported on 25.04.2003 taht 21 minority families at Kalkini District Madaripur were harassed in a false case. In Barisal the Sangbad published a report that on 03.04.2003 some valuable stones were stolen from Barisal Shankar Math (temple). The Sangbad reported on 31.03.2003 that in Jamalpur District at Sontia Bazar an appeal was made to the Hon'ble Home Minister of Bangladesh regarding torture and persecution upon religious minorites.
- iii. The Daily Janakhanta published a report that in Sharishabari at Jamalpur a Christian young boy namely Hriday Roy (32) of Purba Para Mohadan Union of Sharishabari Upazila was killed by some terrorists. The Janakhanta reported on the same date that some terrorists attacked some Hindu families at Paschim Kathali village and demolished the house, looted all the belongings and 12 were injured and Khirod Mohanta (35), Shaymol Chandra, Wife of Shaymol Chandra (18) and Rashidul (37) were admitted to Hospital No action was taken against thee terrorists.
- iv. The Janakhanta published a report that an Advocate occupied the land of Dhalkanagar Primary School at Dhaka being the vested property. The Daily Ajker Kagoj reported on 15.03.2003 that in Muktagacha Raghunathpur at Mymensingh for eviction of some religious minorities one Intaz Ali tried to kill cows belonging to

minorities by poisoning but Lalchand and Kalachand saw the incident and caught hold.

- v. In the Janakhanta it was reported on 23.02.2003 that in Kachua P.S. District Chandpur an attack upon the religious minorities during continuation of “Nam Kirton” on the occasion of Maghi Purnima and many injured led by one State Minister of the Government of Bangladesh.
- vi. The Daily Sangbad published a report that in Nilphamari Saragram in Kishoregonj Upazila some religious Hindu communities were threatened during Union Parishad election. In the Bangla Bazar on 06.03.2003 published a report that at Bhola Tazimuddin Upazila one Anisur Rahman was killed and other 40 injured. The incident took place at Chasara government Primary School and all the Hindu communities were threatened not to cast votes in favour of any body.
- vii. The Daily Janakhantha published a report that one Chatra League Leader namely Shubha Gopal Sen was killed by Army and the Bhorer Kagoj also published a report that Shubha Gopal Sen was killed by Army. The Sangbad Published a report that at Feni in Chagalnaiya Upazila at Radhanagar Union one Khokon Chandra Bhoumik (28) owner of a Studio was attacked by some criminals.
- viii. As reported in The Daily Sangbad that at Banaripara, Barishal on 14.11.2002 seven persons belonging to Hindu communities were kidnapped and 2 acres of land were occupied illegally by some land-grabbers.
- ix. The Daily Jugantor reported on 2<sup>nd</sup> of September, 2003 in Dignara Mashail, Dhaka, 100 Hindu Rishi Families were attacked by the terrorists and as a result the victims surrounded the Nababgonj

Police Station for their safety. The O.C of Nababgonj namely Shamsul Hoque threatened them for the consequence.

- x. The Daily Jugantor published a report that one Gyanendranath Bain (60) at Pachuria Bus Station, Gopalganj was attacked by one Salam Sheikh and a multiple injury on his body and eyes were caused and he was in the Hospital and a silence procession (Mouna Michhil) was paraded in the City. The Bhorer Kagoj published a report that on 14.11.2002 in Singarbil at B. Baria District ten members of Hindu families of the same village were attacked and they were taken to B. Baria Sadar Hospital for treatment. The Sangbad reported on 14.11.2003 that in Chadshi in Gournadi at Barisal the images of Goddesses of Shitala Mandir were broken and the Pourahit Haripada Thakur published a report that he is not safe.
- xi. In the Bhorer Kagoj dated 0 30.11.2003 published a report that only in the month of October, 2003 one hundred eleven (111) incidents of torture upon the religious minorities took place all over the country.
- xii. The Bhorer Kagoj dated 27.04.2003 published a report that in Magura a Sebayet was beaten for forceful occupation of an old Madan Mohan Mondir's Property at Sotrujitpur Village. In the same paper on 28.04.2003 the then Prime Minister of India Mr. I.K. Gujral and Ms. Asma Jahangir of South Asian's Human rights Bureau called for commission of minority human right in Supreme Court Bar Association premises, Dhaka.
- xiii. The Bhorer Kagonj on 07.11.2003 taht in Noagaon some Adibashi people were attacked and set their houses on fire by some criminals. The Daily Sangbad published a report that in Kaligonj (Jhenidah) one noted businessman namely Adhir Datta was

threatened for collection of tools of Taka one lac from him and if he fails to pay the desired amount he would be killed. He is in insecure position. The Sangbad dated 10.10.2003 published a report that a girl named Iti (15) Daughter of Gopal Hazra at Noagaon, Mohadebur was gang-raped by some terrorists and she was ultimately killed.

- xiv. The Daily Prothom Alo reported on 23th November, 2003 that in Tangail District in Mirzapur some terrorists in Anaitura Union, Atia Mahmudpur Union and Agoir village ten images of goddess Kalimata were desecrated and damaged by some criminals. One Chitta Sutradhar, Gour Sutradhar, Sitanath and Anil published a report that they abstained from offering Puja since five days. In the Janakantha dated 29.11.2003 published a report that a sense of insecurity among the minority communities was prevailing for damage of kali Murti in different parts of the district.
- xv. In the Janakantha dated 23.11.2003 in Brahmanbaria at Madhyapara some influential people occupied a place of cremation ground of minorities forcefully and they were trying to occupy the adjacent pond also. The Janakantha published a report that in Madaripur a Debottor Property belonging to Hindu Community within the town at J. L. No. 114 S.A. Khatain No. 921 46 acres of land were occupied and is going to be misappropriated by some land grabbers.
- xvi. The Daily Purbokon of Chittagong dated 21.11.2003 published a report that the incident of 11 Shil families is not merely a dacoity but also a deep-rooted conspiracy to clinch the minorities in Bangladesh.
- xvii. In the Daily Jugantar dated 20<sup>th</sup> November, 2003 published a report that 11 Hindus were set on fire at night and only Bimal Shil

was escaped from the burning fire and the investigation by HRCBM is continuing and the pictures of torture upon them will follow.

- xviii. The Daily Janakanth on 6.4.2003 published a report that in Shibpur village within B. Baria District one Bijoy Shil was shot dead by the son of U.P. Chairman, Nazrul Islam. An investigative report has been submitted earlier by HRCBM Dhaka.
- xix. In the Daily Janakantha reported on 10.11.2003 at Sirajgonj at Tarash Upazila ten Adibashi families have been attacked and their houses and lands have been occupied by some terrorists. No action has yet been taken.
- xx. The Jugantor reported on 8<sup>th</sup> November, 2003 that in Manikgonj Harkutul Islam Al-Zahad sent a letter to the members of Hindu families to convert to Islam immediately within 7 (seven) days otherwise they will be attacked. No action has yet been taken. The Bhorer Kagoj reported on 9.11.2003 that in Feni the Shibir Cadres entered into the Hotel of a minority community and assaulted Anil Chandra Ghosh (55) and his son Shaymol Ghosh and another Delwar Hossain Shipon.
- xxi. The Daily Bhorer Kagoj reported on 7.8.2003 that in Madaripur some terrorists attacked one business Nilkomal Chakroborty and occupied some portion of land and ultimately Momrez Khan (30) was arrested. The Bhorer Kagoj on 29<sup>th</sup> August, 2003 at Satkhira one Ex-Municipality Commissioner demanded 3 (three) laks of taka from the forty five Hindu families. The Hindu communities on protest on 24<sup>th</sup> August, 2003 held a press conference and demanded immediate protection of the minorities. The Daily Ittefaq published a report that in Ujirpur within the District of

Perojpur some terrorists attacked Durja Mandop and destroyed the images of goddess.

- xxii. The Daily Azadi dated 4.2.2003 published a report that Human rights Commission visited the area Patiya U.P. election and published a report that most of the minorities could not franchise due to repression.
- xxiii. The Sangbad reported on 1<sup>st</sup> of May, 2003 that the Vested Property (Amendment) Act has not yet been acted upon. The Hindus are disappointed. The Sangbad reported on 1<sup>st</sup> of May, 2003 that in Kishoregonj at Itna Upazila a Boishnab family has been persecuted and the ear of Bashudev Boishnab was cut down by Nurul Islam and his accomplices. Jugantor published a report that in Kaliakoir under Gazipur District one Mir Mohammad Wazed Ali was arrested for his involvement of rape of a seven year minor Hindu girl.
- xxiv. The Prothom Alo published a report that on 1.7.2003 in B. Baria one minority woman was gang-raped by some persons belonging to Chatradal., The Daily Azadi of Chittagong dated 3.7.2003 published a report that in Banshkhali the law and order situation has been deteriorated and no action was taken.
- xxv. The Ajker Kagoj dated 11.7.2003 published a report that in Faridpur Nagarkanda some terrorists attacked the Hindu community and the attackers were trying to eliminate them from their ancestral land. Due to fear of life they are escaping from torture and persecution in the locality. Bhorer Kagoj dated 25.7.2002 published a report that a protest meeting by HBCUC was organized and arrest of Chitta Ranjan Das was vehemently protested. The Prothom Alo dated 3.9.2003 published a report that in Nabinagar Upazila at B. Baria at Shyamgram Union the

terrorists set on fire on Durga Mondir. Bhorer Kagoj dated 17.8.2003 published a report that in Jamalpur one Adibashi girl namely Lenita Marak was gang raped by some criminals.

xxvi. The Ajker Kagoj dated 20.8.2003 published a report that in Barisal land belonging to Advocate Bimal Chowdhury was forcefully occupied and an office of Sramik Dal has been erected thereon. The Ajker Kagoj dated 20.08.2003 published a report that before Janmashtami at Chokoria, Cox's Bazar some terrorists attacked the fisherman colony and the police has become the Judge of the conflict. Bhorer Kagoj dated 21.8.2003 published a report that in Patuakhali at Dumki some influential men occupied the Historical Roy Pond and evicted  $\frac{3}{4}$  Hindu families from their possession. Bhorer Kagoj dated 17.8.2003 published a report that at Gournadi Upazila Bartihat Palli Mangal Pathagar local BNP and Jubadal leaders occupied the market forcefully.

xxvii. The Sangbad reported on 15.08.2003 that due to refusal to sell the property within Bhabanipur Union at Bogra (Shepur) to others the Hindu woman wife of Nepal Chandra was raped. The Bhorer Kagoj dated 5.8.2003 published a report that in Kaligonj, M Satkhira an attack upon some religious minorities continued and their trees and the Mondirs, houses were destroyed. The victims are wife of Narendra Nath, Sabitri, Daughter- Dipali, son- Pradip, Karuna were injured. Bhorer Kagoj dated 6.8.2003 published a report that in Munshigonj for collection tools Panna Das (35) wife of Shwapna Rani Das was attacked and this family has become the victim of circumstances.

xxviii. The Sangbad dated 25.8.2003 published a report that in Kaligonj, Lalmonirhat District one destitute girl Aloka Rani (25) was raped by one Pabitra and she has become pregnant., The Sangbad dated 13.08.2003 published a report that in Patuakhali District at



Kalapara 4 Buddhist Murti (Buddha Images) were stolen at Rakhain Mondir.

- xxix. The Bhorer Kagoj dated 25.08.2003 published a report that the Chittagong Probortak Sangha Orphanage was going to be occupied by some land grabbers. The Sangbad dated 26.08.2003 published a report that the house of Shudhangshu, a teacher of Borhanuddin School was looted and the property has not yet been recovered.
- xxx. The Daily Sangbad reported on 28.8.2003 in Mahalchari within Khagrachari District the Buddhist Temple was set on fire. No action has been taken. The Sangbad dated 15.08.2003 published a report that one daughter of Abdul Aziz of Hizline Village within Manikgonj District who was a student of Class-VII was gang raped and killed. the Bhorer Kagoj dated 5.8.2003 published a report that in Madaripur at Kalkini Upazila Dasha Union in the village Darshona the terrorists Ltion Bahini attacked Dr. Sunil Kumar Banarjee and caused a severe damage to his family.
- xxxi. The Daily Janakantha dated 13.08.2003 published a report that at Borhanuddin Upazilla District Bhola some Hindu teachers were threatened because not attending Milad Mahfil at Borhanuddin during the inauguration ceremony of Hafiz Ibrahim College and looted some of the belongings of the Hindu families. The Janakantha dated 26.9.2003 published a report that one Hindu namely Gogon Pal was buried at Rahim Metal Jam-e-Mashjid Ground as a Muslim. The Sangbad dated 11.03.2003 at Badargonj Rangpur during a marriage ceremony of Harilal two Hindu women were subjected to rape and minority family was attacked by Rubel Sorwar Babu and his gang.

- xxxii. The Sangbad dated 18.09.2003 published a report that at Rajbari within village Douki three minority families were attacked and their belongings amounting to Tk. 40,000.- were looted. The Bhorer Kagoj dated 18.09.2003 published a report that some Rishi families at Suapur were attacked by B.P. Member, as a result Shyamol Moni Das, Sagorika Das, Falani, Kanchan Moni Das, Bidhumoni Das were in the hospital as result of injury. An investigative report by HRCBM has been submitted. The Bhorer Kagoj dated 18.09.2003 published a report that in Shibchar Upazila Mdaripur District some terrorists destroyed the images of Durga Debi. No action has yet been taken.
- xxxiii. The Bhorer Kagoj dated 22.08.2003 published a report that at Kurigram in Rajarhat Upazila in the village namely Dhananjoy eight Hindu families were passing with tremendous pressure due to torture by Chairman, Abdula Hakim Khandaker with a view to occupy their landed properties. Bankim Chandra Bakshi younger brother of advocate, Bhaktadas Bakshi was also attacked.
- xxxiv. The Janakantha dated 6.1.2003 published a report that the retired A.S.P. Nironjan was involved in a case and he has been sent to Jail. He was maliciously implicated in the false case regarding subversive activities against the state. The Jugantar dated 28.05.2003 published a report that in Kendua (Netrokona) one minority family has become the victim of circumstances within Bolai Shimul Union. Gopal Chandra Shil and his family was attacked and is going to be evicted from his homestead. The Bhorer Kagoj dated 12.07.2003 published a report that one BNP leader occupied five acres of land belonging to Labonnya Probha Singha at Char Jabber Union Noakhali.
- xxxv. The Bhorer Kagoj dated 14.06.2003 published a report that in Chittagong Rangunia Upazila due to repression and torture four

Hindu families have become subjected to isolated. The Sangbad reported on 14.06.2003 that in Rampal within Khulna District one retired Nurse Bindu Gain was attacked for collection of tools. The terroriests Nasir Sheikh and Motiur Sheikh threatened her to leave the country.

- xxxvi. The Janakantha dated 14.06.2003 published a report that in Chittagong one Ajit Talukder (45) a renowned businessman was brutally killed by Chatradal Terrorists.
- xxxvii. The Janakantha dated 27.8.2003 published a report that in Satkhira at the time of fleeing away from their homeland to India 27 members of religious minority community have been arrested by B.D.R and sent to jail.
- xxxviii. The Janakantha dated 2.9.2003 published a report that in Pabna District a group of terrorists threatened the religious monority communities not to celebrate Puja by a letter dated 27<sup>th</sup> September, 2003, as a result the Hindu communities have become frightened. The Bhorer Kagoj dated 22.9.2003 published a report that by the order of the Home Ministry the 3 accused of burning 2 Hindus at Bakergonj Upazila will be released as because the case is politically motivated.
- xxxix. The Janakantha dated 26.9.2003 published a report that at Habigonj in the village of Laskarpur the terrorists attacked the Hindu families at the house of Jamindar Surendra Mazumder. As a result, Prijit @ Swapan and Priojit @ Sumon and Nandita were seriously injured and their belongings amounting to Taka one lak have been looted. The Jugantar dated 27.09.2003 published a report that at Thakurgaon District an Adibashi woman Beauty Hazda @ Talamia (18) was gang raped and ultimately her two eyes have been wiped out and killed. The Bhorerkagoj dated

29.09.2003 published a report that at Bhairab one Bhulu Chandra Das was attacked by some terrorists namely, Delwar Al Amin and his gang men and as a result of such attack there was a press conference, but no action has yet been taken.

- xl. The Prothom Alo dated 16<sup>th</sup> September, 2003 published a report that BNP cadres constructed BNP office in the land of Buddha Bihar belongs to Rakhain community at Kalapara. The Jugantar dated 24.9.2003 published a report that in Siddhirgonj P.S. within Narayangonj District one Babul Chandra Barman (32) was kidnapped for money and he was seriously injured. The Prothom Alo dated 16.8.2003 published a report that in Bogra District within Sonatala Upazila some terrorists damaged the Images of Durga Debi and sent letter to them not to celebrate Puja.
- xli. The Sangbad dated 11.10.2003 reported the in Badargonj (Rangpur) at Sahapara one minority businessmen Prfullah Ghosh was threatened for giving subscription of thirty thousand taka to the terrorists otherwise the children of Mr. Ghosh will be kidnapped. The Bhorer Kagoj dated 14.10.2003 published a report that one Bimal Chandra Dey of Dhamrai, Dhaka was threatened to leave the country because some terrorists wanted to occupy his landed property amounting to taka four crores within the Municipality area of Dhamrai. The Bhorer Kagoj dated 14.10.2003 published a report that one BDR personnel namely Delowar Hossain (42) of Sujalpur village within Birgonj Upazilla of Dinajpur District was caught red handed at the time of raping of Fuleshwari wife of Goloknath Mondol.
- xlii. The Sangbad dated 16.10.2003 published a report that in Gazipur District in Sripur Upazila 12 deities were damaged by some terrorists. The minority communities of that area are in great anxiety. The said paper also published a report that in Gourpur,

Mymensingh at Ramgopalpur Union one minority girl was raped by the son of the Chief of Gram Saker of Ward No 4 and the victim has become pregnant due to rape.

- xliii. The Sangbad dated 24.10.2003 published a report that in Manikgonj district a Kali Mondir within Dashra Kalikhola some terrorists set on fire on this mondir resulting and e some portion of Kalibari was damaged. The Ajker Kagoj dated 5.10.2003 published a report that at Kapashin (Gazipur) within Ranigonj Upazila some terrorists damaged the Idols of Durga Debi and police released the accused in exchange of bribe of Taka twenty thousand.
- xliv. The Sangbad dated 16.10.2003 published a report that in Madaripur District the properties belonging to a Kali Mondir was forcefully occupied violating the injuction order of the court and the minorities are in great distress for fear of lives. The Bhorer Kagoj dated 20.10.2003 published a report that in Chittagong Raojan Upazila the properties of Sridam Chandra Das were occupied forcefully by some terrorists.
- xlvi. The Janakantha dated 19a.10.2003 published a report that at Rajshahi Bagmara one indigenious minority girl namely Ms. Boimali was gang raped by some people and also by two police constables. HRCBM has investigated the matter and a detailed report has been submitted. The Bhorer Kagoj dated 27.10.2003 published a report that in Barisal a Debottor Property belonging to Hindu Minority communities was occupied forcefully and the terrorists are still occupying the property without any legal basis.
- xlvii. The Janakantha published on 19.10.2003 a report of Mrs. Rosaline Kosta of violation of Human Right in Bangladesh.

- xlvi. The Janakantha dated 19.10.2003 published a report that the journalist Hiramoni at Khulna was attacked and persecuted for reporting genuine report in the newspapers. The Bhorer Kagoj dated 27.8.2003 published a report that in the month of July, 2003 forty two incidents of torture upon the religious minorities were published by HBCUC in the Newspaper within one month. The Sangbad dated 01.9.2003 published a report that in Natore a dacoity in the 12 houses at Lalpur Nandaraipur village were committed and no action has yet been taken.
- xlvi. The local newspaper of Taherpur, namely the Sonali Sakal on 27.10.2003 published a report that at Hat Gongopara P.S. Bagmara, District Rajshahi a young girl (18) of Harijan by cast was raped by Abdul Jalil son of Alauddin and thereafter police arrested the said girl and Abdul Jalil for un-social activities but the police took the said girl in an unknown place and raped her by police constables namely Abu Bakar and Akher Ali. The Daily Jugantor dated 24.10.2003 published a report that fire set on Mondir at Dasra Kalikhola and also at Pirgonj Moheshpur village of Rangpur District and damaged the images of goddess.
- xlix. The Daily Sangbad dated 27.10.2003 published a report that during Shayama Puja some land grabbers tried to grab the lands of Mondir and one criminal was arrested regarding this incident. The daily Sangbad on the same dated published a report that a Surveyor Zakir Hossain demanded bribe for handing over the cremation ground of Raypur Pourshava within the District Laxmipur. The Daily Sangbad on 27.10.2003 published a report that at Morelgonj within the District of Bagerhat the learned Judge of Nari-O-Shishu Nirzatan Daman Adalat Directed for re-investigation regarding the matter of rape and murder case of Sabita Rani. The Sangbad reported on the same dated that at

Kuliarchar within the district of Kishoregonj some terrorists attacked the houses of minorities and damaged Kali Murti.

1. The Daiuly Janakantha dated 28.10.2003 published a report that at Shibchar Upazila under the district of Madaripur cases filed against some BNP leaders for harassment to the minority communities. The Janakantha reported on the same date that at Porshuram under the district of Feni a housewife namely Anika Rani Roy was gangrapped by some criminals.
- li. The Daily Dandi Barta on 30.10.2003 published photographs captioning that some influential persons trying to evict Kamala Rani Sarker from her property. The HRCBM investigated into the matter and submitted report thereon.
- lii. The local newspaper namely the Khabarer Pata on 30.10.2003 published a report that at Fatullah Upazilla within the district of Narayangonj some terrorists were trying to occupy the houses of minority communities and the police station did not record the case. On the same date the daily local newspaper the Shoja Shapta published a report that relating to the above matter Kamal Rani Sarker and her daughter Dipali Rani Sarker were arrested by the police calling them to Thana. The daily Jugantor dated 01.11.2003 published a report that at Kanaighat, Sylhet a gang of criminals namely Foyez Ahmed son of Tazmul Ali threatened Nirmulendu and Nikhil Chakroborty of Radha Jewur Mondir and tried to illegally occupy the land of the Mondir.
- liii. The daily Janakantha dated 2.11.2003 published an article by Rajen Thakur entitled “Shangbidhanik Adhikare Bachte Din” regarding various problems of religious minority communities in Bangladesh.

- liv. The Daily Sangbad dated 2.11.2003 published a report that at Balaikandi district of Rajbari some land grabbers namely, Sukur Ali, Alam, Lutfor, Tutul etc. were trying to occupy the lands of an Adibahsi community of that area. The same paper reported on the same dated that at purbadhala village under Netrokona district some terrorists destroyed kali murti. The Daily Sangbad on 14.08.2003 published a report that at Borhanuddin Upazila the Ibrahim college were locked by some terrorists under the leadership of S. M. Gaznavir, Upazila BNP Secretary, and harassed some Hindu Minority teachers namely, Khokon, Bidhan and Haran Mondol and looted and damaged the goods and households worth taka more than one lac at the house of another teacher namely Shudhangshu.
- lv. The Deily Bhorer Kagoj dated 3.11.2003 reported in an article written by Ahmed Arief that some foreign donor agencies and the government organizations approached a Minister (from minority community) of Govt. of Bangladesh Bagerhat, Satkhira and Khulna District to extend necessary help to rescue of the minority communities from persecution and torture.
- lvi. The Daily Bhorer Kagoj dated 5.11.2003 published a report that an ultimatum given by Harket E Islam Al Zihad to some leaders of Awami League from religious minorities community namely, Rajat Shuvra Ghosh son of Rabindra Ghosh at Manikgonj post office Khilgaon for conversion to Muslim within 7 days. On the same date the Bhorer Kagoj published a report that some terrorists tried to occupy the Mondir established by the renowned poet of Monsha Mangal named Bijoy Dasgupta.
- lvii. The Daily Bhorer Kagoj dated 5.11.2003 at Kashba under the district of B. Baria a press conference was held against the Sub-



Registrar for his corruption for deceiving tax in respect of registration of land of a religious minority.

- lviii. The Daily Bhorer Kagoj on 6.11.2003 reported that at Nagorpur Upazila village Sarangpur under the district of Tangail landed property of Rajendra Nath Saha was forcefully registered without giving price to the seller by terrorists namely Ditol Rahman. On the same date the Bhorer Kagoj published a report that at Manikgong Hindu minority families were threatened over telephones and by letters by Harkatul Islam Al-Zehad. In the same paper it was published a report that at Bauphal within the District of Perojpur the image of Manasha was destroyed by some terrorists.
- lix. The Daily Janakantha dated 4.11.2003 published a report that at Mohadevpur Upazila Ghoshpara mahallah in the district of Noagaon an old kachha house of a distressed widow namely Mina Mazumder occupied by some local influential persons and constructed building thereon. On the same date the same paper published a report that the Harkatul-e-Islam Al Zehad threatened the religious minority communities to convert to Muslim by letter written by Usman Bin Abdullah Al Zehadi. The said letter was addressed to Rajat Ghosh, a College Teacher, Tushar Kanti, Advocate Dipak Ghosh and Tapu and others.
- lx. The Bangladesh Observer dated 24.11.2003 published a report that over 30 Hindu families fled Banshkhali village homes due to panic stricken atrocities at Sadhanpur village over the last couple of days because of continuous dacoity in different parts of the Banshkhali Upazila. Bangladesh Human Right Commission already launched a fact-finding mission to find out the killing by fire of 11 Shil Family at Sadhanpur.

11. That after receiving the news of persecution on the religious minority after the parliament election of 2001, the petitioner No.1 investigated the matter with the authority. The petitioners initially visited so many districts and interviewed a huge number of local peoples and Journalists of different places and Hindu victims of the said District. The petitioners found in investigation that almost all the incident happened and the journalists witnessed it. Many others were under threat of being persecuted, and were seriously affected as an effect of the general election. That on 21.6.2002 a detailed report of the above mentioned investigation report have been submitted to the Head Office of HRCBM, Santa Clara , California, U. S. A. and the said instigation report was published in different dailies.

12. That the petitioner no. 1 as President of HRCBM Bangladesh Chapter visited so many affected districts where religious minorities have been tortured and persecuted. After taking interview from the victims he took photographs and statements. News published in the newspaper, investigation report, video and photograph will show at the time of hearing of the case.

13. That the daily Prothom Alo dated 27.04.2003 published a report regarding forceful occupation of 4 (four) acres of land at Moulvibazar , the daily Sangbad dated 02.04.2003 published a report that a minority

girl was kidnapped, land occupied and attack ; that the daily Jugantar dated 02.05.2003 published a report regarding abduction and gang-rape of Bhivarani Singha, the daily Janakantha dated 30.04.2003 published a report regarding gang-rape of a Brahmin girl at manikganj ; the daily Bhorer Kagaj dated 27.04.2003 published a report regarding torture upon Sebayet at Magura and another report published in the janakantha dated 28.04.2003 regarding kidnapping of a school girl Chinurani; the daily janakantha dated 22.01.2003 published a report regarding torture upon the religious minorities at Debhata , Satkhira ; that the daily Bhorer Kagaj dated 17.01.2003 published a report regarding exclusion of some accused in the case of Chhabi Rani Mondal at Bagerhat; there is another report also published in the daily Sangbad dated 19.01.2003 regarding occupation Shrimp field by some terrorists at Satkhira; the daily Sangbad also reported three incident of tortures upon the religious minorities dated 05.04.2003, 04.04.2003 and 04.05.2003; the daily Bhorer Kagaj dated 12.01.2003 and the Sangbad dated 12.01.2003 published separate incidents of tortures upon the religious minorities; that the daily Ajger Kagaj dated 06.03.2003 published a report regarding occupation of “Debottor Property” at Sonargaon; that the daily Bangla Bazar dated 02.03.2003 published a report regarding torture upon 7 (seven) families of religious minorities at Kapashia , Gazipur; the daily janakantha dated 25.04.2003 published a report that a Dharmashala belonging to Marwari family was destroyed ; that the daily Dandy Barta dated 01.06.2003 published a report that Laxmirani Roy at Narayangonj

was illegally evicted and tortured by some terrorists in spite of Rule of injunction granted by the Hon'ble High Court was pending; that the daily Prothom Alo dated 17.04.2003 published a report that a Saw Mill belonging to a minority community at Miresarai and in a house of Faridpur was attacked; and a news also published on the same date that in Ainargop 48 families have been attacked ; that in the daily Bhorer Kagaj published a report regarding torture upon the religious minorities at banskhali Chittagong; that the daily Sangbad dated 08.05.2003 published a report that the religious minorities namely Dipali and Rakhali were attacked at Trishal , Mymensingh ; that another report dated 27.02.2003 published in the daily Sangbad that "Kalimurti" at Boda, Panchagar was destroyed in Gangamandir; that Bhorer Kagaj dated 09.05.2003 published a report that "Debottor Property" belonging to Hindus have been occupied and another report published in the Sangbad dated 08.05.2003 regarding kidnapping of Shwapna Rani (15) at Ramgati, Laxmipur; that on 05.05.2002 the daily Prothom Alo published a report that the terrorists at Laksham , Muzaffargonj at Haludia village set 10 (ten) houses on fire belonging to religious minorities ; that the daily Sangbad dated 21.11.2002 published an incident upon Rabindra Ghosh by Mr. A. F. Hasan Arief , Attorney General in the Supreme Court premises; that an incident published in the daily Sangbad dated 08.03.2003 regarding attack Gouranga Sutradhar and Nagendra Sutradhar by some terrorists at Katiadi, Kishoreganj; that a brief report on the death of Shrikanta Rokshit published in the daily

Dinkal ; that the daily Sangbad dated 17.05.2003 published a report that in Rajshahi Anjana (35), Nila (41) Rahul (12) and Amio (12) were attacked by some terrorists in presence of police personnel; that report published in the daily Sangbad dated 24.06.2003 , a reporter namely Jharna Roy was kidnapped and appeal to Home Minister; that a report published in the daily Bhorer Kagaj dated 15.06.2003 in Ujirpur at Barisal Radhakanta Mistri and his son Ramesh Mistri were threatened because of love affairs with one Muslim girl ; that another report dated 27.04.2003 published in the daily Sangbad published a report that Sabita was tortured and her baby in the womb died due to attack. The paper cutting will show at the time of hearing.

14. That the HRCBM, Santa Clara,U.S.A. Sent appeal to the Hon'ble Prime Minister of Bangladesh, Begum Khaleda Zia, Hon'ble Home Minister and Inspector General of Police praying for protection of lives and properties of religious minorities. That it is further stated that the Committee of HRCBM Bangladesh chapter has submitted a memorandum dated 28.08.2002 to the President of Bangladesh requesting him to look into the matter and to take protection of the lives and securities of the religious minorities.

A copy of the said appeal dated 24<sup>th</sup> April, 2003 and the said memorandum dated

28.08.2002 are annexed hereto and marked as

**Annexure-A and A-1.**

15. That it is stated that the Public Inquiry Commission consisting of 1) Ain-0-Shalish kendra 2) Nari Pragati Sangha 3) Bangladesh Mohila Parishad 4) Sammilito Samajik Andolon 5) PRIP Trust 6) Hindu Boddha Christian Okya Parishad 7) Nagorik Adhikar Sangrakhan O Sampradayikata Proatirodh Kamiti made a Report and submitted a detailed report on the facts and figures by the Member Secretary of the Commission.

A copy of the said report is annexed hereto and marked as "**ANNEXURE-B**".

16. That it is stated here that a Writ Petition being number W.P. No. 176 of 2000 was filed by Ain-O-Shalish Kendra and on 24 .01 2000 Hon'ble High Court Division was pleased to issue a Rule Nisi. There after another Writ Petition being number W.P. 6556 of 2001 was filed before this Hon'ble Court regarding failure of the Respondents to discharge their constitutional and legal obligations to protect the persons and properties belonging to the religious minorities particularly Hindus, specially aftermath of the general election and the Honb'le High Court Division was pleased to issue Rule Nisi on 24.11.2001. Both the Writ Petitions are pending. The Respondents are reluctant about the

persecution and torture upon the religious minority. Though Rule was issued but the Respondents are neither taking any appropriate steps to protect the religious minorities nor taken any legal steps against the perpetrators. Due to inaction of the respondents thousands of incident happening in the country and religious minorities are being deprived from their fundamental rights.

The certified copy of the order dated 24.01.2000 and 24 11.2001 are annexed hereto and marked as **Annexure-C and C-1**.

17. That it is stated here that the torture, killing, rape and persecution upon the religious minorities are happening every day in the different parts of the country. Every day it is publishing in the daily newspaper. There are thousands of incident, which was published in the newspaper. Some incidents, which were published in last three months about the persecution upon the religious minorities, some of them show that the members of the religious minorities are not secured. They could enjoy the fundamental rights guranteed under the constitution of Bangladesh. Many child and women were raped, houses were looted, many persons tortured asking them to leave the country, burning the temple and Mot, land were occupied; forceful conversion is going on; in many incidents police did not receive any allegations of such persecution and torture.

The news was also published about the protest of this persecution by the human rights organization.

Copies of the paper clippings are annexed here with and marked as “**ANNEXURE- D Series**” .

18. That it is stated here that on 29.12.2005 the ASSIAN HUMAN RIGHTS COMMISSION (AHRC) sent a letter to the respondents along with others stating that the facts finding committee found persecution upon the religious minorities. Global Human Rights Defence published a investigate report in February, 2005, stating that police has not taken any remedial measures and hanged bones cows to assault hindu faith in front of kitchen of hindu owners. Another report published by Bureau Of Democracy, U.S.A. also stated the persecution upon the religious minorities. Another report was published referring European Parliament Resolution and mentioned about human rights violation against Hindus, most of the reported incidents are directly related to land grabbing and religious persecution.

Photoopies of the reports are annexed here with and marked as “**ANNEXURE- E, E-1, E-2 & E-3**” .



19. That it is stated here after the parliament election 2001 upto April,2006 the religious minorities communities faced a serious oppressions by the miscreants supported by the ruling party, leaders and workers. As per the report published in the newspapers there are about 15,000 (fifteen thousand) incidents took place. The Organisation of the petitioner No.1 made a list of the incidents which is annexed herewith of the writ petition.

A copy of the list is annexed hereto and marked as **ANNEXURE "F" series.**

20. That it is submitted that inaction of the respondents is still continuing on despite of the Rule issued by the Hon'ble Court, the respondents showing disrespect to the Rule order having failed to perform their constitutional duties. As such it is gross violation of the Articles incorporated in the Constitution of Bangladesh.

21. That it is submitted that in these circumstances the interference of this Hon'ble court is urgently needed to protect the persons and property belonging to the religious minorities including Ahmediyya in order to ensure that the law enforcing agencies perform their duties as per law and to investigate the allegations of criminal offences having taken place and to initiate prosecution against the miscreants.

22. That it is submitted that the facts already stated and the annexures are evidence of persecution upon the religious minorities and violation of fundamental rights which include violation of the right to life, liberty, property and to equal protection of law.

23. That it is submitted that the facts stated in his petition and papers annexed hereto clearly establish that the people of religious minorities are facing serious oppression and violence in the hands of miscreants and the respondents have totally failed to take action against them despite of issuing Rule in the Writ Petition No. 6556 of 2001 and as such an order from this Hon'ble Court is urgently necessary, so that those people can be protected from further assault to their lives and property.

24. That it is submitted that the respondents are obliged by the Constitution to take proper and adequate steps for the protection of the rights of all citizens, including religious minorities, but they are not taking necessary steps regarding this and as such their inaction in this respect should be declared as violation of legal duty and they should be directed by this Hon'ble court to do what they are lawfully required by law to do as per the Constitution.

25. That the Petitioners through it's learned Lawyer issued demanding justice notice upon the respondents on 10.04.2006 asking them to take immediate steps to stop persecution upon the religious

minorities and investigate into these incidents and arrange to get protection of law by the persons belonging to the religious minorities.

A copy of the said Demand of Justice Notice is annexed hereto and marked as “**Annexure-G**”

26. That in the circumstances stated above, the petitioners are aggrieved by the persistent and continuing failure on the part of the respondents to discharge their Constitutional duty to protect the members of the minority communities from gross violations of their fundamental rights guaranteed under Article 27, 31, 40, 41, 42, and 43 of the Constitution of the People’s Republic of Bangladesh. The fact remains that the Annexures, and other circumstantial evidence shows that the repression, humiliation and continuous threat upon the minority is still existence which is required to be prevented by interference of this Hon’le Court in issuing a specific direction to protect the minority Communities by exercising the effective official authority of the respondents which they have failed to perform as required by law to do so. And in the premises aforesaid the petitioners beg to file this Writ Petition in the public interest and to enforce Constitutional mandate , and since the situation is continuously aggravating very rapidly and the destitute minorities have been led to a position to stay in the country under continuous threat to their lives, body and properties which

compelling them to leave the country in order to save their lives and properties and there being no other equally efficacious and speedy remedy intervention of this Hon'ble Court is necessary on the following amongst other:

### **GROUND**

- I. For that the respondents having failed to discharge their constitutional and legal obligation to protect the fundamental rights of the citizen guaranteed by Article 27, 31, 40, 41, 42, and 43 of the Constitution of the People's Republic of Bangladesh. The continuous persecution and torture upon the religious minorities as reflected in different Medias clearly shows that the allegation as stated above are authentic and as such the petitioners humbly pray to call for appropriate orders and directions to be issued by the High Court Division .
- II. For that the respondents having failed to discharge their constitutional and legal obligation to protect the rights of the religious minority from torture, killing ,rape , land grabbing and persecution by miscreants, the minority communities are deprived of their rights to life, liberty and personal security guaranteed by the Constitution, hence and the petitioners are entitled to get appropriate orders and directions from this Hon'ble court.

- III. For that the torture, killing, rape and persecution being still continuing upon the religious minority and the respondents still having failed to discharge their constitutional legal responsibility resulting prevailing continuous threat which is required to be restrained by an appropriate order of this Hon'ble Court.
- IV. For that the interference of this Hon'ble court is urgently needed to protect the persons and property belonging to the religious minorities in order to ensure that the law enforcing agencies perform their duties as per law and to investigate the allegations of criminal offences having taken place and to initiate prosecution against the miscreants.
- V. For that the inaction of the respondents is still continuing on despite of the Rule issued by the Hon'ble Court, the respondents showing disrespect to the Rule order having failed to perform their constitutional duties. As such it is gross violation of the Constitution.
- VI. For that the respondents are under obligation to ensure security and to protect the prestige and dignity of the persons belonging to the religious minority communities in view of the "Declaration on the rights of persons belonging to National or Ethnic, religious and linguistic minorities 1992 "as adopted by General Assembly Resolution 47/135 of 18 December 1992 as well as Declaration in

the Elimination of all forms of Intolerance and of Discrimination based on Religion or Belief 1981” as proclaimed by general Assembly Resolution 36/55 of 25 November 1981 of the United Nations.

Wherefore, it is humbly prayed that your Lordships may graciously be pleased to-

a) Issue a Rule Nisi calling upon the respondents to show cause as to why the failure to protect the person and properties of the religious minorities and inaction of the Respondents should not be declared illegal and unconstitutional and why the respondents should not be directed to perform their duties vested upon them as per law and to protect the fundamenatl rights of religious minorities and why the respondents should not be directed to make adequate compensation to the victim of the incidents.

b) Pending hearing of the Rule, the respondents be directed to take immediate appropriate steps to investigate into the incidents reported in press and electronic

media and other reports annexed in this writ petition and to initiate legal proceeding against violators of law.

c) pending hearing of the rule the respondents may be directed to take action against the police officer who have not performed their duties to protect the religious minorities.

d) award costs of the petition to the petitioners and or to pass such other or further order or orders as your Lordships may deem fit and proper.

e) after hearing the parties and perusing the records make the Rule absolute;

And for this act of kindness, the petitioners as in duty bound, shall ever pray.

**A F F I D A V I T**

I, Rabindra Ghosh son of late Dinobandhu Ghosh of 41/O, Azimpur Yathimkhana Lane, Police Station – Lalbagh, District- Dhaka, aged about 52 years, by faith-Hindu, by Occupation- Advocate, by

Nationality-Bangladeshi by birth, do hereby solemnly affirm and say as follows :

1. That I am the petitioner no.1 and the President of Human Rights Congress for Bangladesh Minorities (HRCBM, Dhaka, Bangladesh Chapter) is well conversant of the facts and circumstances of the case and competent to swear this Affidavit.
2. That the statements made in this application are true to the best of my knowledge and belief.

Prepared in my office.

\_\_\_\_\_  
Manzill Murshid  
গবর্জ তগ্বিতম`  
Advocate  
Supreme Court Of bangladesh.

\_\_\_\_\_  
(DEPONENT)  
THE DEPONENT IS KNOWN TO ME  
AND IDENTIFIED BY ME

Manzill Murshid  
গবর্জ তগ্বিতম`  
Advocate

SOLEMNLY AFFIRMED BEFORE  
ME THIS THE .....DAY OF  
.....:2006 AT..... AM/PM

COMMISSIONER OF AFFIDAVITS  
SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION, DHAKA.



A F F I D A V I T

I, Manzill Murshid, Advocate, Supreme Court of Bangladesh of 36 Mirpur Road P.S.-Dhanmondi, District –Dhaka aged about-. 47 years by faith Muslim by occupation- Advocate, by Nationality Bangladeshi by birth do hereby solemnly affirm and say as follows:-

1. That I am the Petitioner No.2 in this case and acquainted with the facts and circumstances of the cases and competent to swear this affidavit.
2. That the statements made in this application are true to the best of my knowledge and belief.

Prepared in my office.

\_\_\_\_\_  
Manzill Murshid  
gbwRj †gvi‡m`  
Advocate  
Supreme Court of Bangladesh.

\_\_\_\_\_  
(DEPONENT)  
THE DEPONENT IS KNOWN TO ME  
AND IDENTIFIED BY ME

Manzill Murshid  
gbwRj †gvi‡m`  
Advocate

SOLEMNLY AFFIRMED BEFORE  
ME THIS THE .....DAY OF  
.....:2006 AT..... AM/PM

COMMISSIONER OF AFFIDAVITS  
SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION, DHAKA

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

WRIT PETITION NO.....OF 2006.

IN THE MATTER OF:

Human Rights Congress for Bangladesh  
Minorities (HRCBM), Bangladesh Chapter,  
represented by its President, Advocate  
Rabindra Ghosh, 41/0 Azimpur Estate, P. S.  
Lalbag, District – Dhaka and another.

.....Petitioners.

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

Government of the People's Republic of  
Bangladesh, represented by the Secretary,  
Ministry of Home Affairs, Bangladesh  
Secretariat, P.S. Raman, District-Dhaka and  
others.

.....Respondents.

Manzill Murshid  
gbwRj †gvi†m`  
Advocate  
For the Petitioners.

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

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Human Rights Congress for Bangladesh  
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Lalbag, District – Dhaka and another.

**.....Petitioners.**

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

Government of the People's Republic of  
Bangladesh, represented by the Secretary,  
Ministry of Home Affairs, Bangladesh  
Secretariat, P.S. Raman, District-Dhaka and  
others.

**.....Respondents.**

**I N D E X**

<b>SL</b>	<b>Description of the paper or document</b>	<b>Date</b>	<b>Page</b>
1.	Power		
2.	Writ Petition		
3.	A copy of the said appeal dated 24 <sup>th</sup> April, 2003 and the said memorandum dated 28.08.2002 are annexed hereto and marked as <b><u>Annexure-A and A-1.</u></b>	28.08.2002	

4.	A copy of the said report is annexed hereto and marked as ' <u><b>ANNEXURE-B</b></u> '.		
5.	The certified copy of the order dated 24.01.2000 and 24 11.2001 are annexed hereto and marked as <u><b>Annexure-C and C-1</b></u> .	24.01.2000 24.11.2001	
6.	Copies of the paper clippings are annexed here with and marked as ' <u><b>ANNEXURE- D Series</b></u> ' .		
7.	Photocopies of the reports are annexed here with and marked as ' <u><b>ANNEXURE- E, E-1, E-2 &amp; E-3</b></u> ' .		
8.	A copy of the list is annexed hereto and marked as <u><b>ANNEXURE "F"</b></u>		
	A copy of the said Demand of Justice Notice is annexed hereto and marked as ' <u><b>Annexure-G</b></u> '		
9.	Back Page		

Manzill Murshid  
Advocate  
For the petitioners.

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

WRIT PETITION NO.....OF 2006.  
IN THE MATTER OF:

Human Rights Congress for Bangladesh  
Minorities (HRCBM), Bangladesh Chapter,  
represented by its President, Advocate Rabindra  
Ghosh, 41/0 Azimpur Estate, P. S. Lalbag, District  
– Dhaka and another.

**.....Petitioners.**

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

Government of the People's Republic of  
Bangladesh, represented by the Secretary, Ministry  
of Home Affairs, Bangladesh Secretariat, P.S.  
Raman, District-Dhaka and others.

**...Respondents.**

To  
The Attorney General  
The Peoples Republic of Bangladesh.

Dear Sir ,

Please take notice that an application under Article 102 read with 44 of the  
Constitution of People's Republic of Bangladesh will be filed and moved  
before this Court, a copy of which is enclosed herewith for your kind  
information

Regards

Manzill Murshid  
Advocate  
For the petitioners.