

**IN THE SUPREME COURT OF BANGLADESH**

**HIGH COURT DIVISION**

**(Special Original Jurisdiction)**

**WRIT PETITION NO. 8483 OF 2009**

**IN THE MATTER OF:**

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

**AND**

**IN THE MATTER OF:**

Articles 15, 31, 32 and 40 of the Constitution of Peoples' Republic of Bangladesh; The Agriculture and Sanitary Improvement Act, 1920; The Embankment and Drainage Act, 1952; The Bangladesh Water Development Boards Act, 2000; The Water Resource Planning Act, 1992 The Local Government (Union Parishads) Ordinance, 1983; Upazilla Parishad Act, 1998; The Standing Orders on Disaster Management,

1997; The Climate Strategy and Action Plan (2008)  
and other related laws and regulations

**AND**

**IN THE MATTER OF :**

1. Bangladesh Environmental Lawyers Association (BELA), a society registered under the Societies Registration Act, 1860 having its office at House no. 15/A, Road no. 3, Dhanmondi Residential Area, P.S. Dhanmondi, Dhaka, being represented by its Executive Committee Member, M. Iqbal Kabir, Advocate, Supreme Court.

2. Dr. Achintya Kumar Mondol, Joint Secretary, Dacop Nagorik Parishad, Village: Chalna, Post:: Chalna Bazar; Upazilla: Dacop, District: Khulna.

**.... Petitioners**

**-VERSUS-**

1. Bangladesh, represented by the Secretary, Ministry of Water Resources, Government of Bangladesh, Bangladesh Secretariat, P.S. Ramna, Dhaka – 1000.

2. The Secretary, Ministry of Food and Disaster Management, Government of Bangladesh, Bangladesh Secretariat, P.S. Ramna, Dhaka- 1000.

3. The Secretary, Ministry of Local Government, Rural Development & Co- Operatives, Government of Bangladesh, Bangladesh Secretariat, P.S. Ramna, Dhaka- 1000.

4. The Secretary, Ministry of Agriculture, Government of Bangladesh, Bangladesh Secretariat, P.S. Ramna, Dhaka- 1000.

5. The Secretary, Ministry of Health and Family Welfare, Government of Bangladesh, Bangladesh Secretariat, P.S. Ramna, Dhaka- 1000.

6. The Secretary, Ministry of Environment and Forest,  
Government of Bangladesh, Bangladesh Secretariat,  
P.S. Ramna, Dhaka- 1000.

7. The Director General, Bangladesh Water  
Development Board, WAPDA Bhaban, Motijheel  
Commercial Area, Dhaka- 1000.

8. The Director General, Disaster Management  
Bureau, 92-93 Mohakhali Area, Dhaka

9. The Deputy Commissioner, Khulna

10. The Deputy Commissioner, Satkhira

11. The Executive Engineer, Division-1, Bangladesh  
Water Development Board, Satkhira.

12. The Executive Engineer, Division-2, Bangladesh  
Water Development Board, PANI Bhaban, Koylaghat,  
Notun Bazar, Khulna.

13. The Upazilla Nirbahi Officer, Dacop Upazilla,  
District: Khulna

14. The Upazilla Nirbahi Officer, Koira Upazilla,  
Khulna

15. The Upazilla Nirbahi Officer, Shyamnagar  
Upazilla, District: Satkhira

16. The Upazilla Nirbahi Officer, Asasuni Upazilla,  
District: Satkhira

**....Respondents**

**AND**

**IN THE MATTER OF:**

Directions upon the respondents to declare the Aila affected areas (referred to in Paragraph 6) as “Distress Area”, repair/reconstruct the damaged embankments of the said Areas and provide the displaced persons of the said Areas with necessary supports till the time they can be enabled to return to

their homes and engage into normal economic activities.

**To**

Mr. Justice M. M. Ruhul Amin, the Hon'ble Chief Justice of Bangladesh and his companion Justices of the said Hon'ble Court.

The humble petition of the above named most respectfully-

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

1. That the petitioner No. 1 is Bangladesh Environmental Lawyers Association (BELA), a society of lawyers working to promote the notion of environmental justice in the country, being represented by its executive committee member, M. Iqbal Kabir. Since its inception, BELA has been upholding public interest through its various efforts of which Public Interest Environmental Litigations (PIELs) deserve special mentioning. Petitioner No. 2 is the Joint Secretary of *Dacop Nagorik Parishad*, working for the rehabilitation and protection of the Aila affected people of Dacop Upazilla.

2. That the respondents, in their official capacities, are responsible for the management of the Aila affected areas in accordance with applicable laws, rules and regulations. Under the Standing Orders on Disaster (1999) all the respondents have specific responsibilities with regard to rehabilitation of the Aila affected people. Respondent No.1 is Bangladesh, represented by the Secretary, Ministry of Water Resources has the responsibility of ensuring management, maintenance and protection of water related structures. Respondent No.2 is the Secretary, Ministry of Food and Disaster Management, responsible for formulating, implementing disaster and relief programs and distribution of relief and food supplies in the affected areas. The said respondent is also the line ministry of respondent No.8. Respondent No. 3 is the Secretary, Ministry of Local Government, Rural Development and Co-Operatives, responsible for coordinating the activities of local government agencies in times of disasters. Respondent No. 4 is the Secretary, Ministry of Agriculture, responsible for rendering assistance to the affected people for agricultural extension and rehabilitation. Respondent No. 5 is the Secretary, Ministry of Health and Family Welfare having the responsibility to control epidemics during rehabilitation phase. Respondent No. 6 is the Secretary, Ministry of Environment and Forest,

responsible for the proper implementation of the environmental related laws and the Climate Strategy and Action Plan (2008). Respondent No. 7 is the Director General of Bangladesh Water Development Board (herein after referred to BWDB) having specific responsibility of protecting, maintaining and repairing the coastal embankments. Respondent No. 8 is the Director General of the Disaster Management Bureau, responsible for overseeing and co-ordinating all activities related to disaster management from national down to the grass root level and also from the pre-disaster till the rehabilitation stage. Respondent Nos. 9 and 10 are respectively the Deputy Commissioners of Khulna and Satkhira districts. Respondent Nos. 11 and 12 respectively are the Executive Engineer of Satkhira and Khulna directly responsible for sound management of water related infrastructure at the local level.

3. Respondent Nos. 13, 14, 15 and 16 are respectively Upazilla Nirbahi Officers (hereinafter referred to as UNOs) of Dacop, Koira, Shayamnagar and Ashashuni Upazilas under the districts of Khulna and Satkhira. These respondents are responsible for ensuring safety, comfort, and protection of people at the local level and also responsible for the management of the reliefs and rehabilitation programs in disaster affected areas.



4. That the addresses of the parties as given in the cause title are correct for the purposes of communication and services of notices and other documents upon them.

5. That the districts of Khulna and Satkhira situated on the south western coastal belt of the country were hit by the fatal cyclone Aila on 25 May, 2009 that, by collapsing few embankments, submerged significant parts of the districts with strong tidal surge and left hundreds killed .and thousand others homeless and distressed. As per the initial damage assessment report of respondent No. 8 dated 26 May, 2009, the Aila has damaged the embankments of respondent No. 7 in Khulna affecting the Dacop, Koira, Paikgachha, Butiaghata Upazillas while in Satkhira, Aila completely destroyed 83, 089 houses as stated in the report of the Upazilla Disaster Management Committee dated 27 May, 2009.

True copies of the relevant parts of reports of the Disaster Management Bureau and the Upazilla Disaster Management Committee are annexed hereto and marked as **Annexures “A” and “A-1”**.

6. That amongst the total Upazillas hit, the worst hit ones remain Dacop, Koira, Shyamnagar and Asashuni Upazillas of Khulna and Satkhira districts. The worst affected unions of Khulna are Kamarkhola and Shutarkhali (Dacop Upazilla); North Bedkashi, South Bedkashi, Maheshwari, Maharajpur, Koira Sadar and Bagali (Koira Upazilla) Of the unions of Satkhira, the worst affected unions are Padmapukur, Gabura (Shayamnagar Upazilla) and Pratapnagar (Asashuni Upazilla). These unions have been referred to as “the said Areas” hereinafter.

True copy of a map marking the worst hit areas of Aila is annexed hereto as

**Annexure “B”**.

7. That as stated in the report dated 6 September, 2009 of respondent No. 13 i.e, the Upazilla Nirbahi Officer, Dacop numbers of families of Kamarkkhola and Shutarkhali unions still living on shelter homes and embankments are respectively 3500 and 7000.

True copy of the report of respondent No. 13 dated 6 September, 2009 is annexed hereto and marked as **Annexure “C”**.

8. That all 6 unions of the Koirā Upazilla were affected by Aila where the number of totally destroyed household remain 23, 820 while the number of partially destroyed houses is 18, 620. Number of families severely hit in the said 6 unions remains 27,454 claimed a report dated 22 October, 2009 of respondent No. 14 i.e., the Upazilla Nirbahi Officer of Koirā.

True copy of the report of respondent No. 14 dated 22 October, 2009 is annexed hereto and marked as **Annexure “D”**.

9. That as per the report dated 27 May, 2009 of the Upazilla Disaster Management Committee, Aila has completely damaged 7,922 households in Padmapukur union while in Gabura the number of households damaged completely by Aila remain 11, 452. This has in turn rendered at least 17, 840 and 25, 785 families homeless in Padmapukur and Gabura respectively.

Truecopy of the relevant part of the report dated 27 May, 2009 is annexed hereto and marked as **Annexure “E”**.

10. That as per a map of the Directorate of Relief and rehabilitation dated 3 June, 2009 and information provided by the Deputy Commissioners Office of Satkhira, in the Upazilla of Asashuni, at least 147, 681 people were affected while 12, 375 houses have been completely destroyed.

True copy of information collected from the office of respondent No. 10 as to the damage caused to Asashuni is annexed hereto and marked as **Annexure “F”**.

11. That while the report of the Disaster Management Information Centre dated 26 May, 2009 reveal that in Satkhira alone embankments stretching an area of 127 kilometers have breached, a survey by the petitioner organization identify the following damaged embankments (hereinafter referred to as the said embankments) that need immediate reconstruction/repairing:

# mgwš^Z cÖwZ†e`b

GKbR†i Lyjv I mvZ¶xiv †Rjvi AvBjvq ¶wZMÖ`' euva welqK cÖ†qvRbxq

Z\_`

| †Rjv    | Dc†Rjv | BDwbqb  | †cvivi bs | ¶wZMÖ`'<br>euva<br>(wKt wgt) | Ri`ixfv†e<br>wbg©vb†hvM`<br>euvamg~n   |
|---------|--------|---|-----------|------------------------------|--|
| Lyjv    | `v†Kvc | 1.<br>Kvgvi†Lvjv<br>2.<br>myZviLvix   | 32        | 52 wKt<br><br>wgt            | 1. RvwjqvLvix Lvj<br>euva<br>2. †Mvjeywbqvi PK<br>Lvix euva<br>3. _bvix bq †f>U<br>†MU Lvix<br>4. bwjqvb b`xi<br>†Mvov Lvix<br>5. bwjqvb †K~vRvi<br>Lvix |
|         | Kqiv   | 1. D†i<br>†eaKvwk<br>2. `w¶Y<br>†e`Kvwk<br>3.<br>g†nk   ixcyi<br>4.<br>gnvivRcyi<br>5. Kqiv m`i<br>6. evMvjix | 13,14/2   | 184 wKt<br><br>wgt           | 1. cebv Lv†ji euva<br>2. wM†jevMx<br>euva<br>3. 4bs euva<br>4. cv_viLvix euva<br>5. AvswUnviv euva   |
| mvZ¶xiv | kvgbMi | 1. cÜcyKzi  | 15,16     | 66 wKt                       | 1. Svcv euva   |

|  |         |           |    |               |   |
|--|---------|-----------|----|---------------|---|
|  |         | 2. Mveyiv |    | wgt           | 2. Pvdj#Lvjv euva<br>3. cvZvLvix euva<br>4. PKevi euva<br>5. 9 b#^i #mviv euva<br>6. bvwczLvix euva<br>7. #RwjqvLvix euva |
|  | Avkviwb | cÖZvcbMi  | 16 | ... ..<br>... | 1. cÛcyKzi l<br>cÖZvcb#ii<br>c~e@vcv#k<br>#Lvj#cUzqvi euva  |

True copy of information collected from the office of respondent No. 2 as to the damage caused to Satkhira embankments is annexed hereto and marked as **Annexure “G”**.

12. That since the above-stated and other embankments damaged by Aila have not yet been repaired/reconstructed, water from the adjoining coastal rivers continue to flood the said Areas with regular tidal surges. As a result, people of the said Areas have not been able to return to their homes (still submerged under 6-8 feet water) even after six months of the Aila. While some of them are living in cyclone shelters, schools and colleges, majority of them are leading sub-human life in the makeshifts mostly built upon damaged embankments. Deprived from all

basic necessities of life and in the absence of needed protection and support from the respondents, people of the said Areas have been forced to accept the indignity of refugee lives and their cry for food, shelter, clothes, health and medicines, water and sanitation continue to fall on deaf ears.

13. That in recent time, most of the leading national and local newspapers have reported on the continued sufferings of the people hit by Aila and have also published some testimonies of affected people. Followed by such news reports, the petitioner No. 1 along with the other petitioners undertook necessary field visits and interacted with the suffering populace to identify their immediate and long term protection needs against such disasters.

True copy of the paper clippings reporting on the sufferings of the Aila affected people and photographs showing the present state of some of the Aila hit areas are annexed hereto and marked as **Annexure "H" series**.

14. That according to the local people although there was adequate relief support immediately after the Aila, that has stopped since September, 2009. As of today, they are receiving nothing more than 20 kg of rice from the government per

month which is grossly inadequate for one family. There is no initiative from the respondents to provide the suffering populace with potable water, sanitation, clothing and treatment. In the absence of supply of adequate food and potable water, people are nearly starving and suffering from chronic water borne diseases like dysentery, typhoid, diarrhea and skin diseases. As the winter approaches, the families living on roadside and on embankments having no protection against the cold, fear severe health crisis particularly for the elderly and the children.

15. That while the suffering people are desperate to get back to their homes and engage into economic activities, the same shall only happen when the said and other embankments are repaired and the tidal surge is prevented from entering the said Areas. The suffering population that includes the local elites, middle class and the poor, therefore, demand immediate reconstruction and repairing of the said damaged embankments. Noting the nature of the tidal flows, the local people of the said Areas demand that the embankments be repaired by January, 2010 as after that the coastal rivers will bring in saline water on their agricultural lands making cultivation difficult.



16. That while the suffering people are eager to go back to their homes, start earning their own livings and put an end to the indignity of refugee life, it is extremely crucial that till the time the said embankments are repaired, these people are adequately supported with food, water, winter clothes and medicines.

17. That the local people allege that the embankments collapsed largely (a) due to the weaknesses caused to them by the pipelines built by the shrimp cultivators and, (b) non-maintenance. Both the factors indicate the failure on part of respondent Nos. 1, 7, 11 and 12 to maintain the water structures in the best interest of the people and for their protection against natural disasters which were the prime objectives of the structures.

18. That the Bangladesh Climate Change and Strategy Action Plan has revealed that amongst the countries exposed to the dangers of extreme climatic hazards, Bangladesh ranks 1<sup>st</sup> in terms of cyclone. Given the increased threats of cyclones for the coastal areas due to climatic changes, it is incumbent that the respondents not only reconstruct/repair the embankments to protect the coastal people from similar catastrophe in future, but also to maintain the same from being used for contrary purposes.

19. That while Bangladesh takes credit for making significant improvement in disaster management, the continuing and unbearable sufferings of the Aila affected people six months after the Cyclone demonstrate utter failure on part of the respondents in maintaining water structures, preventing disasters and protecting and rehabilitating the affected people.

20. That it is stated that under section 6 (1e) of the Bangladesh Water Development Board Act, 2000 respondent No. 7 has been specifically empowered to construct and maintain coastal embankments. Under the said Act, the respondent is also responsible to prevent salinity intrusion (section 6 (1f)).

21. That under the Embankment and Drainage Act, 1952 respondent Nos. 11 and 12 have been empowered to undertake works of embankment, sluice gates.

22. That under the Agriculture and Sanitary Improvement Act, 1920 the respondents are under obligation to undertake works for the improvement or for the prevention of the deterioration of the agricultural or sanitary condition of any area. In the instant case, failure by the respondents to protect and maintain the

coastal embankments have resulted in their breaching and collapse, as a result of vast agricultural lands of the said Area are regularly flooded by the tidal surges. Further, failure by the respondents to initiate reconstruction/repair work of the affected embankments (as of paragraph 11 above) has led to extreme uncertainty as to bringing back the vast agricultural lands of the said Area under cultivation in the upcoming *boro* season. If the embankments are not repaired/reconstructed by February, 2010, that would mean salinity intrusion over the agricultural lands of the said Areas rendering agriculture in the upcoming winter impossible and sanitation a far cry.

23. That while respondent No. 6 is responsible to lead the process of implementing the Climate Strategy and Action Plan (2008), the failure of the respondents in managing Aila is to be taken with utmost seriousness for avoiding such catastrophe in future.

24. That under the Standing Orders on Disaster, although the respondents are all required to devote all out efforts to rehabilitate the affected people during the post-disaster phase, the sufferings of the Aila affected people clearly

demonstrate failure on their part to render necessary support to the affected people and protect them through appropriate rehabilitation package.

25. That it is humbly submitted that for the last six months, the Aila affected people of the said Areas being deprived of needed support from the respondents regarding basic necessities as enshrined in Articles 15, 31, 32 and 40 of the Constitution, are living sub-human life embracing extreme indignity and uncertainty of refugee life.

26. That it is submitted that due to the inundation of their homesteads and cultivable lands by the tidal surges that entered because of the breaching and collapse of said embankments, people of the said Areas could not return to their homes nor could they engage in regular economic activities. Absence of any income from the regular sources as a result of the cyclone Aila render the suffering populace distressed and entitle them to proper rehabilitation schemes as envisaged in the Standing Orders on Disasters.

27. That it is respectfully submitted that due to lack of support from the

respondents and non-continuation of relief and rehabilitation works, a miserable condition is prevailing in the makeshifts and in the cyclone shelters where countless number of destitute people are almost starving and crying for water, medicine, winter clothes and sanitation. As the winter approaches, the devastated populace fear severe health hazard particularly for the aged and the children.

28. That it is humbly submitted that while the affected people are desperate to return to their homestead and engage in activities and are unwilling to live on relief, to their utter frustration, respondent Nos. 1, 7, 11 and 12 have not taken needed initiatives to reconstruct/repair the damaged embankments within such timeframe as would protect the cultivable lands of the said Areas from salinity intrusion and enable people to undertake traditional living.

29. That it is submitted most respectfully that Bangladesh has been ranked 1<sup>st</sup> in terms of risk of tidal surges/cyclones due to climatic changes. While the coastal areas of the country remain exposed to such risks, the management of Aila depicts how unprepared the country is to accord protection to its people against

the onslaught of such disasters that are predicted to be more frequent and recurrent.

30. That to protect the coastal people from the severity of any such disasters, it is submitted that the government be directed to protect all water related structures from any contrary use. Similarly it is essential that the government undertakes necessary plans to build adequate cyclone shelters to house people during times of emergency and beyond, if prompt rehabilitation otherwise cannot be arranged.

31. That being dissatisfied with the gross failure by the respondents to protect the affected people, the petitioner No. 1 served Notice demanding Justice dated 25 November 2005, upon the respondents demanding reconstruction/repairing of all the coastal embankments damaged by Aila and supply of food, drinking water, medicines, sanitation facilities and winter clothes to the affected people till the time the embankments are in place and the suffering bulk can return to their places and start earning.

True copy of the legal notice of petitioner No, 1 is annexed hereto and marked as

**Annexure "I"**.

32. That while the petitioner requested the respondents to respond to its said Notice by 5 December, 2009, none of the respondents till date have replied to the said Notice.

33. That in the above premises having no other alternative and equally efficacious remedy, the petitioners beg to move the High Court Division under Article 102 of the Constitution, **amongst others**, on the following

## **G R O U N D S**

- I. For that the failure of the respondents in protecting and maintaining the embankments of the said Areas, providing adequate relief and supplies to the affected people of the said Areas and arranging for their return to their homestead by reconstructing/ repairing the damaged embankments are violative of Articles 15, 31, 32 and 40 of the Constitution and contrary to the relevant provisions of the Agriculture and Sanitary Improvement Act, 1920, the Embankment and Drainage Act, 1952, the Bangladesh Water Development Boards Act, 2000, the Water Resource Planning Act, 1992,

the Local Government (Union Parishads) Ordinance, 1983; Upazilla Parishad Act, 1998, the Standing Orders on Disaster; the Climate Strategy and Action Plan (2008) and other related laws and regulations, and as such they are liable to be directed by this Hon'ble Court to discharge their duties in this regard as mandated by the Constitution and the aforesaid laws.

- II. For that the categorical failure of the respondents to arrange for and provide needed support to the affected people in respect of shelter, food, water, sanitation and medicine are grossly exasperating and undermining the right to life of those people and hence the respondents are liable to be directed to declare the said Areas as “distressed areas” and arrange for continuous supply of basic necessities (food, water, medicine) to the inhabitants of such areas (now living in cyclone shelters, on embankments and roadsides ) till the time they can return to their lands and engage in regular economic activities.
- III. For that given the fact that the suffering populace of the said Areas have no protection against winter that will inevitably expose them, particularly the children and the aged, to threats of cold related diseases, the respondents



are liable to be directed to provide winter clothes to the affected people prior to **31<sup>st</sup> of December, 2009**.

- IV. For that the omission and failure by the respondents to reconstruct/repair the embankments (listed in paragraph 11 above) of the said Areas have resulted in submerging of the cultivable lands and other properties of the affected people and denial of their right to property and profession and hence, appropriate directions are required to be issued upon the respondents for reconstruction of the damaged embankments by February, 2010 so as to enable the affected people to return to their homesteads and undertake regular economic activities.
- V. For that Bangladesh having been ranked 1<sup>st</sup> in terms of vulnerability to tidal cyclones due to changed climatic conditions and the coastal districts being under the direct threats of such disasters, appropriate directions are required to be issued upon the respondents to properly maintain the coastal embankments and other protective water structures and protect the same from contrary uses.

VI. For that the management of Aila has shown how unprepared the country in dealing with natural disasters of such magnitude that, in changed climatic conditions, are predicted to be occurring more frequently in near future, and as such necessary directions are required to be issued upon the respondents to ensure, at the least, adequate cyclone shelters to house affected people in all similar catastrophes in future.

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

a) Issue a rule nisi calling upon the respondents to show cause as to why they should not be directed to reconstruct/repair the damaged embankments of the said Areas (as listed in paragraphs 11 above and other damaged embankments) within February, 2010 and protect and maintain the same and all other embankments and protective water structures of the coastal zones from contrary uses and also why they should not be directed to construct more cyclone shelters for the coastal districts exposed to increased incidents of cyclones like Aila to protect and defend

the fundamental and legal rights of the people as guaranteed and mandated under the Constitution and the relevant provisions of the laws as mentioned in the cause title of this petition.

b) Pending hearing of the Rule, pass interim orders directing the respondents to-

(i) Ensure the supply of adequate food, potable water, health care services and sanitation to the affected people of the said Area (now living in cyclone shelters, on embankments and roads) till such time as may be needed to reconstruct/repair the damaged embankments of the said Areas so as to enable people to return to their homes and undertake their traditional living; and

(ii) Provide winter clothes to the affected people of the said Areas by 31 December, 2009.

c) Direct the respondents to bear the cost of and incidental to this application.

d) Grant such other relief/s as Your Lordships may deem fit and proper.

And for this act of kindness, Your Petitioners as in duty bound shall ever pray.

**AFFIDAVIT-1**

I, M. Iqbal Kabir, S/o Dr. Md. Tojammul Huq of House No.15A, Road No. 3, Dhanmondi Residential Area, P.S. Dhanmondi, District-Dhaka, aged about 41 years, by faith Muslim, by profession lawyer, by Nationality Bangladeshi, do hereby solemnly affirm and say as follows:

1. That I am the Executive Committee Member of the Bangladesh Environmental Lawyers Association (BELA) and by a resolution of the Executive Committee of BELA is duly authorized to represent BELA and swear affidavit on its behalf, and as such I am fully conversant with the facts and circumstances of the case.

2. That the statements made in the above paragraphs of the petition are correct and true to the best of my knowledge which I verily believe to be true, and rest are submissions made before this Hon'ble Court.

Prepared in my office.

**(Md. Khairul Alam)**  
Advocate

**(M. Iqbal Kabir)**  
Deponent

The deponent is known to me and identified by me

Solemnly affirmed before me  
by the said deponent on this  
the .....day of December, 2009  
at ..... a.m.

**(Md. Khairul Alam)**  
Advocate

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

**AFFIDAVIT -2**

I, Dr. Achinta Kumar Mondol son of Amulya Shundor Mondol of Village Chalna Bazar, of Dacop Upazilla, District – Khulna, aged 42 years, by faith Hindu, by profession teacher, by Nationality Bangladeshi, do hereby affirm and say as follows:

2. That the statements made in the above paragraphs of the petition are correct and true to the best of my knowledge which I verily believe to be true, and rest are submissions made before this Hon'ble Court.

Prepared in my office.

**(Md. Khairul Alam)**

Advocate

**Dr. Achinta Kumar Mondol**

Deponent

The deponent is known to me and identified by me

Solemnly affirmed before me  
by the said deponent on this  
the .....day of December, 2009  
at ..... a.m.

**(Md. Khairul Alam)**

Advocate

**COMMISSIONER OF AFFIDAVITS  
SUPREME COURT OF BANGLADESH**

**HIGH COURT DIVISION, DHAKA**