

Govt asked to show cause: DU closure

BY A Staff Reporter

A High Court Division Bench of the Supreme Court of Bangladesh on Thursday asked the government to show cause why the closure of the University of Dhaka should not be declared to have been made without lawful authority.

The show cause was the outcome of a writ petition filed by two members of Syndicate, two teachers one guardian and four students of the University of

Dhaka. The Division Bench comprising Mr Justice MA Jalil and Mr Justice Qazi Shafiuddin Ahmed fixed October 31 as the date of hearing of the petition.

The petitioners have challenged the legal and constitutional validity of the closure of the university and all other educational institutions in Dhaka on October 13.

They contended that no order was served on the Vice-Chancellor, Syndicate or any other authority of the university nor any reference was made to any ordinance such as the Educational Institutions (Law and Order) Ordinance, on page 8 col. 6

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nance, 1990 while the announcement about the closure was made through television on October 13.

The Dhaka University Order, 1973, empowers the Syndicate or in an emergency the Vice-Chancellor to take steps regarding peace and discipline in the university.

The petitioners alleged that the Educational Institutions (Law and Order) Ordinance, and the closure order were backdated. The announcement over television and the Press release on the basis of which the announcement was made had said that the university was closed sine die while the ordinance gives power to close educational institutions for maximum of a one month.

They also pointed out that the reason given for closure in the television announcement and the Press release were totally different from the grounds on which the closure order was served on October 13 under the ordinance. The ordinance authorises closing of Educational Institutions in the interest of maintaining academic atmosphere, normal functioning of the university and internal security within the university whereas the television announcement and the press release gave as grounds the protection of government property and security of life and property of citizens-matters outside the university, the petitioners said.

The government is represented in the case by the secretaries of the Ministries of Education, and Law and Justice; one Joint Secretary of the Ministry of Education

who signed the order of closure of the university and other educational institutions; one Deputy Controller of the Bangladesh Government Press and one Deputy Controller of the Bangladesh Forms and Publications office.

The petitioners are Dr. Anwar Hossain and Gias Kamal Chowdhury, members of DU Syndicate; Dr. Sayeedur Rahman, Associate Professor of Bangla, and Member Executive Committee of DU Teachers Association; Dr. Khan Sarwar Murshid, Former Vice-Chancellor Rajshahi University and supernumerary Professor of English, DU; Mr. Rashed Khan Menon, General Secretary, Workers Party of Bangladesh and Guardian; Mr.

Fazlul Haq Milan, Joint Convener, Jatiyatabadi Chhatra Dal and member DU Senate; Md. Khairul Kabir Khokan, General Secretary DUCSU and member DU Senate, Md. Afzal Hossain, Member Central Committee of Bangladesh Chhatra League (HA) and Mr. Nazmul Huq Pradhan, President Bangladesh Chhatra League (NS).

Dr. Kamal Hossain, President Supreme Court Bar Association, Syed Ishiaq Ahmed, Messrs Shamsul Huq Chowdhury, Mahmudul Islam, Amirul Islam, SS Haldar, Zulmat Ali Khan, Rafiqul Islam Miah, Shawkat Ali Khan, Aminul Huq, Shah Ahu Nayeem, Kazi Shahabuddin Ahmed and Shamim Hasnain appeared on behalf of the petitioners.