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IN THE SUPREME COURT OF BANGLADESH

HIGH COURT DIVISION

(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. 4462 OF 2013.

In the matter of:

An application under Article 102 of the Constitution of the People's Re-public of Bangladesh.

And

In the matter of:

Bangladesh Environmental Lawyers Association (BELA) an organization registered under the Societies Registration Act, 1862 having its office at House No. 15A, road No. 3 Dhanmondi, Dhaka represented by its one of the Executives M. Iqbal Kabir.

.....Petitioner.

-Versus-

1. Bangladesh, represented by the Secretary, Ministry of Water Resources, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Shahbagh, Dhaka.
2. The Secretary, Ministry of Land, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Shahbagh, Dhaka.
3. Director General/ Chairman, Bangladesh Water Development Board, WAPDA Bhaban (2nd Floor) Motijheel C/A, Dhaka-1000.
4. Director General, Department of Environment, 16/E, Sher-E-Bangla Nagar, Agargaon, Dhaka.
5. The Chief Engineer, Bangladesh Water Development Board, WAPDA Bhaban (2nd Floor), Motijheel C/A, Dhaka-1000.
6. The Superintendent Engineer, Bangladesh Water Development Board, Rangpur Division, Rangpur.
7. The Executive Engineer, Bangladesh Water Development Board, Office of the Executive Engineer, BWDB, Gaibandha.

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8. The Deputy Commissioner, Gaibandha, Office of the Deputy Commissioner, Gaibandha.
9. The Upazila Nirbahi Officer, Fulchari, Office of the Upazila Nirbahi Officer, Fulchari, Gaibandha.

.....Respondents.

And

In the matter of:

Articles 31, 32 and 42 of the Constitution of the People's Republic of Bangladesh; the Bangladesh Environment Conservation Act, 1995 and the Environment Conservation Rules, 1997 made thereunder; Bangladesh Water Development Board Act, 2000; Land Management Manual, 1990.

And

In the matter of:

For a direction upon the respondents to take effective measures for permanent stopping of river erosion of Fulchari Upazila under District Gaibandha.

Present

Mr. Justice Mirza Hussain Haider.

And

Mr. Justice Md. Ataur Rahman Khan.

Then 27th day of October, 2014.

Mr. M Iqbal Kabir, Advocate.

.....for the Petitioner

Mr. Zakir Hossain Ripon A.A.G

.....For respondents No. 8 and 9

Mr. Abdun Nur, Advocate.

....for the Respondents No.3 & 7.

Pursuant to the Rule issuing order dated 29.04.2013 and subsequent order dated 21.01.2014 and 06.03.2014, the respondent no. 7 files affidavit of compliance upon annexing

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the detailed finalized project proposal for protecting Baguria, Balashighat, Ratanpur, Singria, Katlamari and Mass Graveyard (Gonakabor) Area from erosion of river Jamuna in Upazila Gaibandha Sadar ^{Fulehari under Gaibandha District and} and the project has been proposed to be completed by June, 2018 and the learned advocate for the respondent no. 7 informs this Court that the project is awaiting approval by the Ministry of Water Recourses.

Accordingly, the Respondent No. 1 is directed to take appropriate steps, at once, to approve the project proposal and thereby allow the respondent No. 7 to commence the project work within the time stipulated in the proposal i. e. December, 2014, and assist the respondent no. 7 by all means so that the project can be completed within the stipulated time i. e. by June, 2018.

The respondent no. 7 is directed to file affidavit as to development taken place under the project within every six months from the date of commencement of the project in December, 2014.

The petitioner is directed to mention this item after every six months for orders on the affidavit as to development taken place under the said project being filed by the respondent no. 7.

M.H. Haider.

A. R. Khan.

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Read by: 20.11.14

Exd. by: O.A 20.11.14

Readied by:

মোঃ মনজুরুল হক খান
প্রশাসনিক কর্মকর্তা

ব্যক্তিগত অবিকল প্রতিলিপি

20.11.14

সহকারী প্রজিস্ট্রার

বাংলাদেশ সুপ্রীম কোর্ট, হাইকোর্ট বিজ্ঞান

(১৮৭২ ইং সনের ১নং আইনের)

৩৬ ধারাব্যাহক অফিসের কার্যালয়

এস.এম. সাহজাহান
সুপারিনটেনডেন্ট