

পাঁচ
টাকা



বাংলাদেশ
কোর্ট ফি

20.01.2020, 20.01.2020, 20.01.2020 21-01-2020, 21-01-20

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

WRIT PETITION NO. 14941 of 2019.

IN THE MATTER OF:

An application under Article 102(2)(a)(i) and Article 102(2)(a)(ii) of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Bangladesh Environmental Lawyers Association (BELA), being represented by its Lawyer, Sayeed Ahmed Kabir, Advocate, Supreme Court, House-15A, Road-3, Dhanmondi, Dhaka-1205 and Others.

.....Petitioners.

-VERSUS-

1. Bangladesh. Ministry of Environment, Forest and Climate Change, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
2. The Secretary, Ministry of Industries, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
3. The Secretary, Ministry of Commerce, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
4. The Secretary, Ministry of Water Resources, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
5. The Secretary, Ministry of Civil Aviation and Tourism, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
6. The Secretary, Ministry of Textiles and Jute, Government of the People's Republic of Bangladesh, Bangladesh Secretariat, Dhaka.
7. The Director General, Department of Environment (DoE), 16-E Agargaon, Sher-e-Banglanagar, Dhaka.



8. The Chairman, Bangladesh Plastic Products Producer and Export Association, Paltan Tower, Suite No. 603, 604, 87, Old Paltan (sixth floor), Dhaka.

.....Respondents

AND

IN THE MATTER OF:

Articles 15, 18A, 31 and 32 of the Constitution of the People's Republic of Bangladesh, the Bangladesh Environment Conservation Act, 1995 and the Rules of 1997 made thereunder; পণ্যে পট্টিজাত মোড়কের বাধ্যতামূলক ব্যবহার আইন, ২০১০ and all other applicable laws and policies.

AND

IN THE MATTER OF:

Regulating indiscriminate use, production, sale, marketing, stocking, distribution, import, trade etc. of polythene/plastic bags and single-use plastics.

Present:

Mr. Justice Moyeenul Islam Chowdhury.

-And-

Mr. Justice Khandaker Diliruzzaman.

The 06th day of January, 2020

Ms. Syeda Rizwana Hasan, Advocate

.....For the Petitioners

Mr. Saifuddin Khaled, DAG with

Mr. Muhammad Shah Newaj, AAG and

Mr. Md. Sirajul Alam Bhuiyan, AAG

.....For the respondents

Let a Rule Nisi be issued calling upon the respondents to show cause as to why their failure/inaction in enforcing the existing legal ban on polythene/plastic bags (Annexure-'M' to the Writ Petition) and regulating hazardous Single-use Plastics as required under section 6Ka of the Environment Conservation Act, 1995

2
-8



should not be declared to be without lawful authority and of no legal effect and why the respondents should not be directed to adopt and implement a time-bound action plan to introduce safe alternatives to polythene/plastic bags and to phase out Single-use Plastic items from the country by 31st December, 2022 and/or such other or further order or orders passed as to this Court may seem fit and proper.

However, in order to meet, the emergent situation, the respondents are directed to strictly enforce the existing legal ban on polythene/plastic bags (Annexure-‘M’ to the Writ Petition) throughout the country through regular market monitoring, shutting down of the polythene manufacturing factories and seizure of machinery and to ban the carrying, selling, use, marketing of polythene/plastic bags and Single-use Plastics in the coastal areas within 1 (one) year and further to ban the use of Single-use Plastics at all hotels, motels and restaurants within the same period of 1 (one) year and to submit compliance reports thereon by swearing Affidavits-in-Compliance in this Court on 05.01.2021 positively.

The Rule is returnable within 4(four) weeks from date.

The petitioners are directed to put in requisites for service of notices upon the respondents by registered post as well as through usual process within 3(three) working days, failing which, the Rule shall stand discharged.

Put up the record on 10.01.2021 for passing necessary orders.

M. I. Chowdhury.

Khandaker Diliruzzaman.

প্রত্যয়িত অবিকল প্রতিলিপি

20.01.2020
সহকারী রেজিস্ট্রার
বাংলাদেশ সুপ্রীম কোর্ট, ২৪কোর্ট বিল্ডিং
(১৮-শহর হই সনো ১মং আইলেনা)
৭৬ ধারামতে কমতা গ্রাণ্ড

Typed by: Jahir: 20.01.2020.

Read by: 20.01.2020

Exam by: [Signature]

Readied by: 20-01-2020

[Handwritten mark]

20.01.2020
মুহাম্মদ মোস্তফা শিকদার
প্রশাসনিক সহকারী

20.01.2020
শেখ বজলুর রশ্মিদ
সিনিয়র প্রকৌশল