"Caution Notice" circulated by the Ministry of Law, Justice and Parliamentary Affairs (DFP-2181-18/07/06), and published in different national dailies on July 23, 2006.

The Caution Notice said: "It is being noticed that without the permission of the government, the Constitution of the People's Republic of Bangladesh is being illegally printed/ photocopied/scanned and sold in the market, violating the copyright of the government. The copyright and ownership of the Constitution, along with other acts are of the government and the said copyright, are within the jurisdiction of the Ministry of Law, Justice and Parliamentary Affairs as per Schedule-1, Rules of Business-1996. As per the Copyright Act, 2000 (Act No. 28 of 2000) unauthorised publication, selling and marketing without permission of the authorship is unlawful and punishable offence. As per Section 82 of the said Act, the person accused with such offence may be punished with imprisonment for a term not exceeding four years and would also be fined Taka 2 lacs."

This Caution Notice was published in the name of a joint secretary of the concerned ministry. This suggests that the ministry possesses ownership of the only asset of the people, the supreme law of the country where fundamental rights of the citizens have been enshrined. Does any individual, ministry or court of law have the power and authority to deprive a citizen from being informed of his/her fundamental rights, which have been enshrined in the Constitution?

What shocks me most is that no one has challenged the circular till now. Common people cannot understand the "copyright and authorship" issue, but it is difficult to understand how this circular was not noticed by the conscious and educated people.

Despite the passage of the fourteenth amendment of the Constitution in May 2004, the law ministry, the claimant of "copyright and authorship," had not published any copy of the Constitution with the latest amendment as on October 28, 2006. Of course, the Constitution was last printed in 2000 after the 13th Amendment.

People have, however, been publishing and selling copies of the Constitution, violating said "copyright and ownership" of the government. The then law minister Barrister Moudud Ahmed, on July 20, 2006, bought copies of the Constitution and said that the police had been asked to seize those unapproved copies from the market. News items were published in different national dailies titled "Pirated constitution in the market", "DMP asked to seize pirated copies of the constitution", "Adulteration in the constitution too?" etc.

Incredibly, copies of the Constitution disappeared from the market overnight. The price of a copy increased from Tk 50 to Tk 300. The law minister announced on July 31, 2007, that the law ministry would publish the Constitution with the latest amendment within one month. Publication was completed in the last week of October but, surprisingly, the date of publication was given as August 1, 2006. As per ministry sources, 2,500 copies were printed at that time, but not a single copy had been provided for the public.

Allegations were made just after the publication of the Constitution. Barrister Moudud Ahmed was sued on December 10, 2006, before the Chief Metropolitan Magistrate Court, Dhaka with the charge of committing sedition. The prosecution alleged that he had fabricated history by crediting Ziaur Rahman as the proclaimer of independence in the preface (it is not part of the Constitution). The joint convenor of the Lawyers Union for Protection of Peoples Right, A.S.M. Iqbal had filed this case. After hearing, the Learned Court sent the matter for judicial enquiry. No more has been heard thereafter.

In July 2007, a national daily published a series of five reports under the heading "Fabrication in the publication of the Constitution", covering the Constitution, its non-availability and various factors centred on this. The report elaborated the chronology of the publication of the Constitution and the role of the law ministry. The then chief advisor asked the law ministry for a summary concerning publication and selling of the Constitution as well as the next step to be taken by the ministry. The summary only said that the law ministry was the owner of the Constitution. The ministry told the chief advisor that reprinting of the Constitution would be undertaken immediately. Eventually, the ministry did not publish even a single copy and the then chief advisor's office also did not want to know anything. Consequently, the issue of reprinting of the Constitution was forgotten.

Because of many debates and criticism, the government at last published the Constitution in the last week of May 2008 (according to information obtained from BG press), four years after the fourteenth amendment and eight years after the last publication and release in the market. But the prefaces of the Constitution printed in 2006, 2007 and 2008 were different. The focal point is, what is the basis of "copyright and ownership" of the Constitution that the law ministry has been claiming? Nowhere in the Constitution has it been incorporated that copyright of the Constitution belongs to the ministry.

Secondly, can the Rules of Business deny the fundamental rights of the people and their right to have the Constitution in hand? Rules of