

## ACC won't need approval to sue govt officials

Draft ordinance scraps Hasina-era amendment

DIPAN NANDY

The Anti-Corruption Commission will no longer require government approval to file cases against judges and public servants, according to the draft ACC Ordinance 2025.

Approved in principle by the advisory council on Thursday, the draft seeks to repeal section 32 (Ka) of the ACC Act 2004, which mandated compliance with section 197 of the Code of Criminal Procedure (CrPC) before initiating legal proceedings against such officials.

Section 197 of the CrPC stipulates that no court can take cognisance of an offence alleged against a judge or government official without prior government approval.

The proposed ordinance reflects recommendations made by the ACC Reform Commission in its report, which suggested abolishing the section and was submitted to Chief Adviser Prof Muhammad Yunus on January 15.

It noted that section 32 (Ka), inserted into the ACC act through an amendment in 2013 by the then Hasina administration despite objections

- ACC to invite public applications for commissioner posts
- Special courts to be opened in all districts with ACC offices
- Complaints cleared by any ACC office won't be rechecked
- Commissioners' tenure will be four years instead of five
- One of the commission members must be a woman

by a parliamentary body, was "discriminatory" and undermined the commission's independence. The High Court declared the section unconstitutional in 2014 and ordered its repeal.

Anti-corruption campaigners have long called for scrapping the provision, arguing that it curtailed the ACC's authority and autonomy.

Welcoming the draft ordinance, Moydul Islam, a former director general of the ACC, said, "It is commendable if the government decides to repeal section 32 (Ka)."

He pointed out, however, that the section had remained ineffective since the HC verdict, though it continued to exist as a formal provision in the law.

The draft ordinance also proposes structural reforms in the ACC, with the tenure of commissioners reduced from five to four years. At least one of the three commissioners must be a woman, it said.

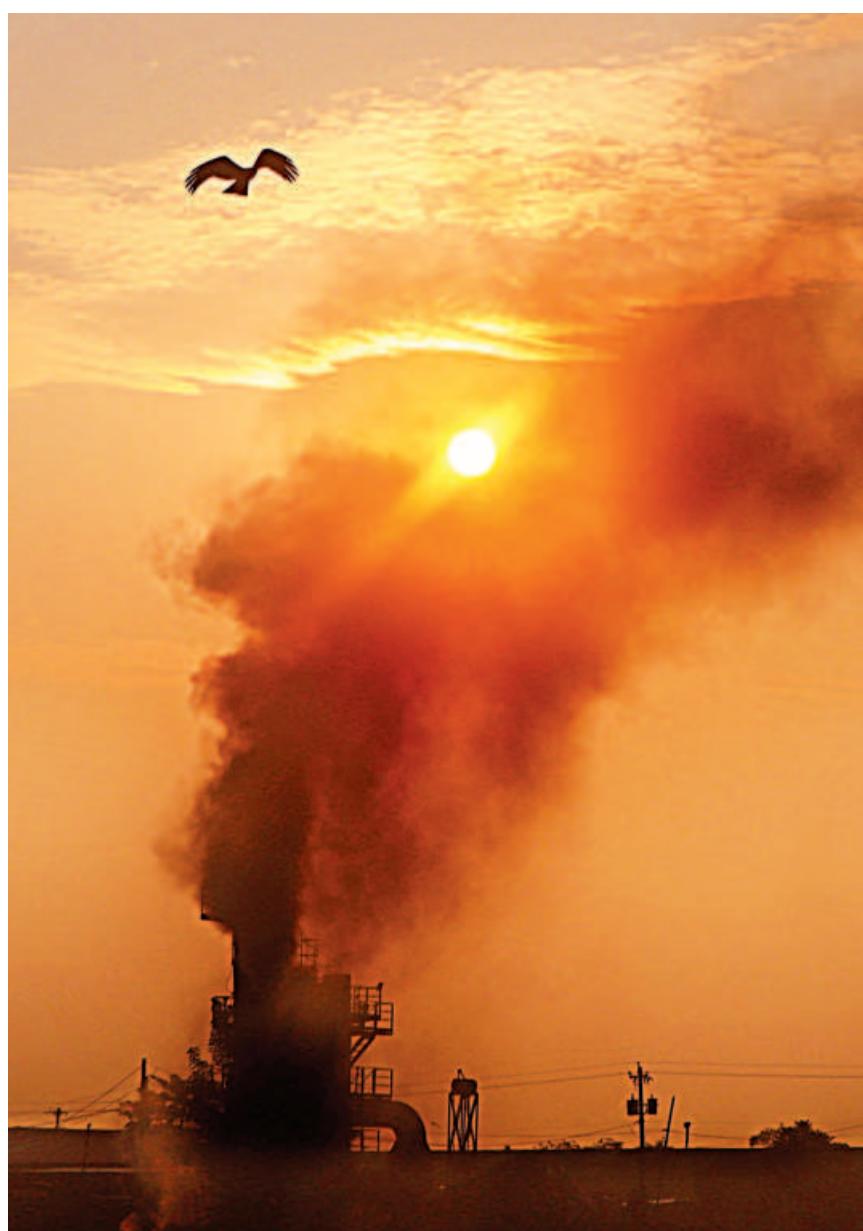
To form the commission, the selection committee will be expanded from five to seven members, led by the senior-most judge of the Appellate Division.

Other members will include a female judge nominated by the chief justice; the comptroller and auditor general; the chairperson of the Public Service Commission or Judicial Service Commission; one lawmaker each from the ruling and opposition parties nominated by the Speaker; and a governance or anti-corruption expert with at least 15 years of experience and nominated by the president.

In the event of parliament's dissolution, lawmakers will be excluded from the selection committee, said the draft.

The committee will issue public notices inviting applications and nominations, requiring asset declarations and CVs. It may also proactively seek out qualified candidates and interview those interested in becoming commissioners.

SEE PAGE 2 COL 1



Smoke rises from a temporary factory preparing materials for road construction in Paraikchak area of Dakshin Surma of Sylhet, obscuring the setting sun. The photo was taken yesterday.

PHOTO: SHEIKH NASIR



Surveillance cameras are being installed on a metro rail pillar to monitor the condition of bearing pads near the Farmgate Metro Rail Station. The photo was taken yesterday.

PHOTO: PRABIR DAS

JULY CHARTER  
Commission for immediate rollout of some reforms

STAFF CORRESPONDENT

The consensus commission will submit its recommendations on implementation of the July charter today, with a proposal that some parts of the constitutional reforms may take immediate effect upon issuance of the July charter implementation order.

The July Charter Implementation (Constitutional Reform) Order 2025 will specify which parts are to be implemented right away, said a source.

The commission will formally submit

SEE PAGE 2 COL 5

## BADC constructing lab on water retention pond

4-storey structure in Gabtoli has no DoE, Rajuk permit

HELEMUL ALAM

Bangladesh Agricultural Development Corporation (BADC) is constructing a four-storey structure on a retention pond, a critical component of Dhaka city's drainage system, in violation of environmental laws and building regulations.

The 117-acre Goidartek pond in Gabtoli area has been marked as a water retention zone in Rajuk's Detailed Area Plan (DAP) 2010. Yet, BADC started building a laboratory on 11 acres of the protected site in 2023 without approval from Rajdhani Unnayan Kartripakka (Rajuk) and the Department of Environment (DoE), said Rajuk and DoE officials.

The construction violates the Environment Conservation (Amendment) Act, 2010, which prohibits filling or altering the classification of land if it has been designated as a water reservoir, regardless of provisions in other laws, according to DoE officials.

BADC also breached the Building Construction Act, 1952, and the Building Construction Rules, 2008, which make it mandatory for any individual or entity to obtain Rajuk's permission before constructing any building within its 1,528sqkm jurisdiction.

Visiting the site on September 4, this correspondent found that the main structure of the four-storey laboratory was almost complete. Several single-storey structures and boundary walls were being constructed around it.

BADC has continued the construction

even though a petition, filed by Bangladesh Environmental Lawyers Association (BELA) seeking to stop the work, remains pending with the Supreme Court, BELA Legal Coordinator S Hassanal Banna said.

He noted that Goidartek is designated as a water-regulating pond in the zoning plan of Dhaka North City Corporation (DNCC) as well.

Following the filing of a case by BELA, the High Court on January 28 last year declared the construction illegal and ordered BADC to restore the waterbody within three months.



However, the SC on July 3 last year stayed the HC order after BADC filed a petition with it.

"We have submitted an application to the apex court for vacating the stay order. The hearing has yet to take place," Banna said.

Asked, Mohammad Azaz, administrator

SEE PAGE 2 COL 5

## POLLS STRATEGY BNP mulls keeping backup candidates

SAJJAD HOSSAIN

The BNP is considering to have multiple candidates selected in each constituency for the upcoming polls as part of the party's strategy.

Senior party leaders said that as grassroots leaders have faced numerous cases against them during the Awami League regime, they believe having multiple candidates will provide flexibility and strength in each constituency.

"If someone's nomination is cancelled on legal grounds or other issues, it opens up a chance for another candidate. That's why we are considering selecting multiple candidates," said a standing committee member asking not to be named.

In the 2018 general election, the BNP nominated multiple candidates for each seat to ensure no seat would be left without a BNP candidate in case any nomination was cancelled by the ruling Awami League government, said party leaders.

SEE PAGE 2 COL 2

الذى خلق الموت والحياة ليبيأتم أىًّم أحسن عملاً وَهُوَ أَعْزِيزُ الْغَفُورُ  
He is the One who created life and death in order to test which of you is best in deeds.

And He is the Almighty, All-Forgiving. (Surah Mulk, Verse 2)



Mir Mustafizur Rahman  
(Jan 7, 1935 - Oct 28, 2021)

M. Mustafizur Rahman, a former renowned senior Government official, passed away four years ago, on Thursday, October 28, 2021 at his residence in Gulshan, Dhaka. He was 86 years old.

He was born in a respectable Muslim family in 1935 at Fakirbari, Barisal. He completed his B. A. and M. A. in Economics from the University of Dhaka, Bangladesh and another M. A. in Development Economics from Williams College, Massachusetts, USA.

Mr. Rahman qualified in the Civil Service examination in 1959, and served the Government in different capacities including Chairman, Water Development Board, Secretary, Civil Aviation and Tourism, Information and Broadcasting, and Education. He was also Finance Secretary, President's Principal Secretary, Alternate Executive Director of World Bank and the first Executive Chairman, Board of Investment, Government of Bangladesh. He was the Chairman of the Revenue Reform Commission (2003) and Chairman of the 7th Pay Commission (2009) appointed by the Government.

On retirement from Government service, Mr. Rahman involved himself in the development of life insurance, leasing, credit rating agency and private university in this country.

Seeking prayers for the departed soul, are:

Prof Salma Rahman, (Retired Professor of English, former Director, Secondary Education and Project Director, Female Secondary Education Stipend Project)

Nahid, Runa, Saadia, Mahfuz, Kamran, Murad, Shaheen and Grandchildren & Brothers, Sisters.