

NEWS BULLETIN



OF INDEPENDENCE



EDITORIAL

We are pleased to publish the seventh issue of the quarterly Legal Counsel News Bulletin and the first one in 2021 with some important updates as a part of our continuing efforts to disseminate key information to clients and other stakeholders. As we are celebrating the 50th anniversary of our independence, we have considered focusing more on the constitution law aspect in this issue.

NEW IMPORTANT LEGISLATIONS (JANUARY 2021-MARCH 2021)

There are 6 legislations has been enacted in the parliament during the first quarter of 2021. These are:

1. Intermediate and Secondary Education (Amendment) Act, 2021;
2. Bangladesh Technical Education Board (Amendment) Act, 2021 ;
3. Bangladesh Madrasa Education Board (Amendment) Act, 2021;
4. Bangladesh Travel Agency (Registration and Control) (Amendment) Act, 2021;
5. The Civil Courts (Amendment) Act, 2021 and
6. Sheikh Hasina Medical University, Khulna, Law, 2021.

CONSTITUTION

The Constitution of the People's Republic of Bangladesh is a codified set of basic principles, rules and rights applicable to the citizens of Bangladesh. Following the declaration of independence on March 26, 1971, the Proclamation of Independence was published on April 10, 1971. It enshrined “equality, human dignity and social justice” as the fundamental principles of Bangladesh. It is the supreme law of Bangladesh and any law, which is inconsistent with the Constitution is to be declared as void.

On November 4, 1972 the Constitution of the People's Republic of Bangladesh was enacted with the same being effective from December 16, 1972. It has ten Parts and seven Schedules. It is based on the four fundamental principles of state policy, namely, nationalism, socialism, democracy and secularism. It sets out other fundamental principles such as guaranteeing human rights and freedoms, freedom from exploitation and protection of tribes, minor races, ethnic sects and communities. It also promotes public health and morality, endeavors to ensure equality between men and women and provides that the State shall adopt effective measures to establish mass and compulsory education. It also provides the freedom of thought and conscience of speech and freedom of religion, freedom of movement etc. to the people of Bangladesh.

It guarantees equality before law and prohibits the State from discriminating on grounds of religion, race, caste, sex or place of birth. Violation of any fundamental rights as stated in the Constitution can be challenged before the hon'ble High Court Division through its writ jurisdiction.

The Constitution also empowers the Prime Minister and the Cabinet, the President, the Parliament, Courts and Tribunals of Bangladesh. It defines their powers, their structure, functions, procedures of appointment and their tenure of offices wherever applicable. It grants the President immunity against claims arising out of his functions as a President and gives him the power to grant mercy against any court sentence. It embodies the fundamental issues for running Bangladesh as a sovereign state.

DID YOU KNOW ABOUT THE CONSTITUTION OF BANGLADESH?

The Constitution of the People's Republic of Bangladesh is a written or codified like most of the countries in the world, e.g. the United States of America, India, Brazil, Pakistan, Germany, France etc. and unlike the constitutions of Britain, Israel, Canada, New Zealand etc. that are unwritten or uncodified. The same was hand-written by A K M Abdur Rouf and designed by painter Zainul Abedin in association with artists Hashem Khan, Junabul Islam, Samarjit Roy Choudhury and Abul Barok Alvi.

CURRENT AFFAIRS

The World Bank has approved USD\$ 200 million to assist Bangladesh for providing support and services to the low-income urban youth impacted by COVID-19 and the involuntary returnee migrant workers in order to improve their earning opportunities.

BANGLADESH COVID-19 VACCINE UPDATE (AS ON MARCH 2021)

On February 07, 2021 Bangladesh launched a nationwide vaccination drive with the aim of vaccinating 130 million people for free. At least 4.5 million people of Bangladesh have taken the first dose of the Oxford-AstraZeneca vaccine. Bangladesh holds 11th position in the global vaccination race. It is expected that more and more people will be vaccinated in the coming days and the people receiving the first doze will take their second doze on time.

ON A SERIOUS NOTE

I was in a juvenile court, prosecuting a teenaged boy suspected of burglary. The judge asked everyone to stand up and state his or her names and roles.

"Robert Clerk, Deputy Prosecutor," I said.

"Linda Jones, Probation Officer."

"Samul Johansen, Public Defender."

"Paul Smith," said the teen who was on trial. "I'm the one who stole the truck."



COPYRIGHT OF THE 7th MARCH SPEECH OF BANGABANDHU



On the occasion of the 101st birth anniversary of Father of the Nation Bangabandhu Sheikh Mujibur Rahman, another glorious knot is added to our history by securing the copy right of his legendary speech of March 7, 1971 in the name of his two daughters, H.E. Ms. Sheikh Hasina, Hon'ble Prime Minister of Bangladesh and Ms. Sheikh Rehana. Since 1971, this speech has always been an inspiration to the people of Bangladesh all over the world. In 2017, the United Nations Educational, Scientific and Cultural Organization (UNESCO) declared the inscription of the 7th March speech of Bangabandhu on the memory of the World International Register.

Since 2012, a foreign company, named Inreco Entertainment Pvt. Limited, has been misusing Bangabandhu's speech on various internet platforms. The said company also illegally obtained a digital license of the proprietorship of that speech in their name. Upon disclosure of this matter, the Government of Bangladesh sent a legal notice and further had a discussion with Inerco Entertainment Limited claiming the authorship of the speech under Section 78 of the Copyright Act, 2000. Subsequently, the said company surrendered the digital license, which was obtained and misused illegally.

LEGAL COUNSEL NEWS

- ✓ 10 February 2021: Three associates of Legal Counsel made valuable discussions on the laws related to the development sector in a webinar organized by INGO HR Networks.
- ✓ **JETRO** 01 March 2021: Head of Chambers of Legal Counsel made the keynote presentation in a Webinar organized by Japan External Trade Organization (JETRO) for Japanese investors.
- ✓ **IWD** 08 March 2021: Legal Counsel celebrated the International Women's Day 2021. It was reported that since its inception 62.5% of the total associates engaged with Legal Counsel were women with no exception to the current ratio.
- ✓ **B&A** Legal Counsel was listed as Tier-1 law firm amongst the top 10 law firm in Dhaka (Bangladesh) in 2021 in the prestigious UK based law firm ranking organization namely Barristers and Advocates Legal Guide. <https://www.barristersandadvocates.com>

PRO-BONO WORKS: PUBLICATIONS AND TV SHOWS (JANUARY 2021-MARCH 2021)

OUR PUBLICATIONS

- ✓ Power of Attorney to sell land | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | January 06, 2021. <https://legalcounselbd.com/3311>
- ✓ Custody law | Barrister Miti Sanjana, Partner of Legal Counsel | BBC News, Bangla | January 14, 2021. <https://legalcounselbd.com/3312>
- ✓ One Person Company (OPC) | Barrister Omar H. Khan, Managing Partner of Legal Counsel, | The Daily Star | January 19, 2021. <https://legalcounselbd.com/3313>
- ✓ Fundamental needs of the homeless people | Barrister Miti Sanjana, Partner of Legal Counsel | News Bangla24.com | January 25, 2021. <https://legalcounselbd.com/3314>
- ✓ Divorce law | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | January 26, 2021. <https://legalcounselbd.com/3315>
- ✓ Cheating in a relationship | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | February 10, 2021. <https://legalcounselbd.com/3316>
- ✓ Money Laundering | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | February 16, 2021. <https://legalcounselbd.com/3317>
- ✓ Development of Bangladesh | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Ittefaq | February 17, 2021. <https://legalcounselbd.com/3318>
- ✓ Registration of marriage and divorce | Barrister Miti Sanjana, Partner of Legal Counsel | BBC News | February 22, 2021. <https://legalcounselbd.com/3319>
- ✓ Standard salary scale for a newly formed company | Barrister Omar H. Khan, Managing Partner of Legal Counsel | The Daily Star | February 23, 2021. <https://legalcounselbd.com/33110>
- ✓ Father of the Nation of Bangladesh, Bangabandhu Sheikh Mujibur Rahman | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Ittefaq | February 23, 2021. <https://legalcounselbd.com/33111>
- ✓ Second marriage | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | March 03, 2021. <https://legalcounselbd.com/33112>
- ✓ Physical and mental violence against man | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | March 10, 2021. <https://legalcounselbd.com/33113>
- ✓ Second marriage | Barrister Miti Sanjana, Partner of Legal Counsel | The Daily Prothom Alo | March 24, 2021. <https://legalcounselbd.com/33114>
- ✓ Child abuse | Barrister Miti Sanjana, Partner of Legal Counsel | DW Germany | March 24, 2021. <https://legalcounselbd.com/33116>

OUR TV SHOWS AND INTERVIEWS

- ▶ Laws relating to women's rights & protection | Barrister Miti Sanjana, Partner of Legal Counsel | DBC News | January 04, 2021. <https://youtu.be/Gxz9SuGGvgU>
- ▶ Prevention of rape | Barrister Miti Sanjana, Partner of Legal Counsel | Somoy TV | January 08, 2021. <https://youtu.be/XDxKLZNrjw4>
- ▶ Punishment of rape in Dihan rape case | Barrister Miti Sanjana, Partner of Legal Counsel | Ekattor TV | January 09, 2021. <https://youtu.be/bvpq48a2l60>
- ▶ Rights and protection of the citizens of Bangladesh | Barrister Miti Sanjana, Partner of Legal Counsel | News-Bangla24.com | January 09, 2021. <https://youtu.be/xefLEaTRQ8s>
- ▶ Relevant laws of rape | Barrister Miti Sanjana, Partner of Legal Counsel | Independent TV | January 10, 2021. <https://youtu.be/Y5ckOlt5evw>
- ▶ Financial Development of Bangladesh | Barrister Miti Sanjana, Partner of Legal Counsel | Chanel- i TV | January 11, 2021. <https://youtu.be/RgW9ehLonoE>
- ▶ Physical and mental violence against women | Barrister Miti Sanjana, Partner of Legal Counsel | Independent TV | January 17, 2021. <https://youtu.be/NZ392CClaCA>
- ▶ Divorce law | Barrister Miti Sanjana, Partner of Legal Counsel | Independent TV | January 18, 2021. <https://youtu.be/rjAbOnbxHSQ>
- ▶ Relevant laws and punishments of fraud regarding Online shopping | Barrister Miti Sanjana, Partner of Legal Counsel | DBC News | February 01, 2021. <https://youtu.be/Vk5rfz-jlSA>

- ▶ Divorce law | Barrister Miti Sanjana, Partner of Legal Counsel | NewsBangla24.com | February 06, 2021. <https://youtu.be/nr1-nh2H0-E>
- ▶ Divorce law | Barrister Miti Sanjana, Partner of Legal Counsel | NewsBangla24.com | February 13, 2021. <https://youtu.be/eXodE3KmkSM>
- ▶ Cheating and fraud on Facebook | Barrister Miti Sanjana, Partner of Legal Counsel | Independent TV | February 17, 2021. <https://youtu.be/w6iAQrgrvH0>
- ▶ Marriage registration and divorce law | Barrister Miti Sanjana, Partner of Legal Counsel Somoy TV | February 18, 2021. <https://youtu.be/z0n7Aonr0zw>
- ▶ Punishment of fraud in marriage | Barrister Miti Sanjana, Partner of Legal Counsel | Somoy TV | February 19, 2021. <https://youtu.be/WpbtGAAUMwc>
- ▶ Laws of online shopping | Barrister Miti Sanjana, Partner of Legal Counsel | NewsBangla24.com | February 20, 2021. <https://youtu.be/bL3Rfeq6HXA>
- ▶ Second marriage without getting divorce | Barrister Miti Sanjana, Partner of Legal Counsel | NewsBangla24.com | February 20, 2021. <https://legalcounselbd.com/i3311>
- ▶ International Mother Language Day | Barrister Miti Sanjana, Partner of Legal Counsel | ATN News | February 21, 2021. <https://youtu.be/EksCziOl-yl>
- ▶ Nari O Shishu Nirjaton Daman Ain | Barrister Miti Sanjana, Partner of Legal Counsel | ATN News | February 23, 2021. <https://www.facebook.com/ATNNewsTV/videos/1883448001831825>
- ▶ Pilkhana Tragedy and its judgement | Barrister Miti Sanjana, Partner of Legal Counsel | DBC TV | February 25, 2021. <https://youtu.be/wJJ4fkdes4Y>
- ▶ Digital Security Act | Barrister Miti Sanjana, Partner of Legal Counsel | BBC Bangla | March 02, 2021. <https://youtu.be/9OahvpEVWrO>
- ▶ Information and Communication Technologies (ICT) Law | Barrister Miti Sanjana, Partner of Legal Counsel | ATN News | March 03, 2021. <https://youtu.be/UqjepY5mT2o>
- ▶ Women Empowerment | Barrister Miti Sanjana, Partner of Legal Counsel | UTV | March 04, 2021. https://youtu.be/C_9qkX2sU_Y
- ▶ Economic development during independence | Barrister Miti Sanjana, Partner of Legal Counsel | Channel i live | March 07, 2021. <https://youtu.be/TNFB5WIZHUc>
- ▶ Women Empowerment | Barrister Miti Sanjana, Partner of Legal Counsel | JAGOnews24 | March 08, 2021. <https://www.facebook.com/watch/?v=185514993046250>
- ▶ Women Empowerment | Barrister Miti Sanjana, Partner of Legal Counsel | Ekattor TV | March 08, 2021. <https://youtu.be/vFKvFy9-o7g>
- ▶ Women Empowerment | Barrister Miti Sanjana, Partner of Legal Counsel | Jamuna TV | March 08, 2021. <https://youtu.be/3Zm8dwvuGnk>
- ▶ Women Empowerment | Barrister Miti Sanjana, Partner of Legal Counsel | DHAKAPOST | March 08, 2021. <https://legalcounselbd.com/i3311>
- ▶ Liberation of a women | Barrister Miti Sanjana, Partner of Legal Counsel | Asian TV | March 08, 2021. <https://youtu.be/l7yXzSuelhw>
- ▶ Polygamy and related laws | Barrister Miti Sanjana, Partner of Legal Counsel | DBC News | March 15, 2021. <https://youtu.be/z55hl-q06DE>
- ▶ Women Entrepreneurship | Barrister Miti Sanjana, Partner of Legal Counsel | Radio Padma 99.2 FM | March 25, 2021. https://youtu.be/nr3trSc4_yk
- ▶ Bangladesh in 50 years of Independence | Barrister Miti Sanjana, Partner of Legal Counsel | JAGOnews24 | March 26, 2021. <https://youtu.be/1aGFiiuPmws>
- ▶ Progress of Bangladesh in 50 years of Independence | Barrister Omar H. Khan, Managing Partner of Legal Counsel | Channel i Tv | March 26, 2021. <https://youtu.be/1uRHaxa5PFs>