evsjv‡`k mycxg ‡KvU
nvB‡KvU we fvM
(‡®úkvj AwiwRb¨vj Ryjimwi WKkvb)

ixU wcwUkb bs 749/2009

Bb w` g¨vUvi Adt

Bnv evsjv‡`k msweav‡bi 102 Abyhvqx` Abyiv‡i GKwU Av‡e`bcÎ; Ges

Bb w` g¨vUvi Adt

G¨vW‡fv‡KU Avmv`¥vgvb Ms
..`iLv¯KvixMY

ebvg

evsjv‡`k Ms
.....cwZev`xMY

ïbvbxt 5 B †g, 2009 Bs

ivq c`vbt 6 B †g, 2009 Bs

Dcw¯nZt

wePvicwZ Rbve G,we,Gg, Lvqiy nK
Ges
wePvicwZ Rbve †gvt ggZvR DwÏb Avn‡¤§`

wePvicwZ G, we, Gg Lvqiy nK t

2001 m‡b evsjv‡`k AbyôZ 8g RvZxq msm` wbevPb-cieZxKvj mg‡q AbyMZ AmsL¨ mvnsm NUbv m‡ZI miKv‡ii wbw®‹qZv‡K P¨v‡jÄ Kwiqv AÎ Rb-¯v_gj-K ixU †gvKÏgwU wnDg¨vb ivBUm G¨vÛ cxm di evsjv‡`k (GBP Avi wc we) ms¯wU Ges evsjv‡`k mycxg †Kv‡Ui 6 (Qq) Rb G¨vW‡fv‡KU `v‡qi Kwiqv‡Qb|
GB `iLv‡¯ ejv nq †h, wnDg¨vb ivBUm G¨vÛ cxm di evsjv‡`k (GBP Avi wc we) ms¯wU evsjv‡`‡k gvbewaKvi i¶vi c‡Póvq wbqZ| GB ms¯v wewfb mg‡q evsjv‡`k gvbewaKvi ¶Z nBevi NUbv NwU‡j Zvnv AvBbMZfv‡e cwZKv‡ii c‡Póv K‡i| 2-7 bs `iLv¯KvixMY evsjv‡`k mycxg †Kv‡Ui weÁ G¨vW‡fv‡KU, Zvnvivl GB ms¯vi mvnZ RwoZ| 1 bs `iLv¯Kvix ms¯v cwZev`xMY eive‡i 29-01-2009 Zwi‡L GKwU Demand of Justice Notice Rvix KiZt 2001 m‡b AbyôZ 8g RvZxq msm` wbevPb-cieZx mg‡q AbyôZ RNb¨ NUbvejx m¤ú‡K Z`wbšb miKv‡ii m¤úb wbw®‹qZv eYbv KiZt D³ mvnsm NUbvejx m¤ú‡K GKwU wePvi wefvMxq Z`š Kwgkb MVb Kwievi Rb¨ cwZev`xMY‡K Abyiva Kiv nq (G¨v‡bKPvi- we) wKš Zvnv‡Z †Kvb d‡jv`q bv nIqvq Zvnviv AÎ ixU †gvKÏgwU `v‡qi Kwi‡j AÎ Av`vjZ evsjv‡`k msweav‡bi 102 AbyhvqxÖ` Abyiv‡i cwZev`xMY eive‡I wbg wjwLZ Rule NISI Rvix K‡i t

"Let Rule Nisi be issued calling upon the respondents to show cause as to why a direction should not be given to from a Judicial Commissioner regarding the incidents occurred after the 8th Parliamentry Election as stated in paragraph 9 to 12 of the writ petition and reported in the daily news papers (Annexure-A) and/or pass such other or further order or orders as to this Court may seem fit and proper.

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

Let this Rule come up in the list for hearing on 04.03.2009.
Requisites to be put in at once. "

evsjv‡`k miKvi- 1 bs cwZev`x c‡¶ 15-04-2009 Zwi‡L njdKZ.GKwU Gwd‡WwfU Bb AcwRkvb `wLj Kiv nq| D³ Gwd‡WwfU Bb AcwRkv‡b ixU †gvKÏgvi `iLv‡¯ AvbxZ eYbv I e³e¨ m¤‡Ü †Kvb Z_¨MZ cwZev` DÌvcb Kiv nq bvB|

Rbve gbwRj †gvi‡m`, G¨vW‡fv‡KU, `iLv¯‹KvixM‡Yi c‡¶ Zvnvi e³e¨ Dc¯‹vcb K‡ib| Ab¨w`‡K kxhy³ Kiyvgq PvKgv Ges Rbve †gv¯‹dv Rvgvb Bmjvg, †Wcyd G¨vUYx †Rbv‡ij 1 bs cwZev`xc‡¶ Zvnv‡`i e³e¨ Dc¯‹vcb K‡ib|

Rbve gbwRj †gvi‡m`, weÁ G¨vW‡fv‡KU Zvnvi `iLv‡¯ I Bnvi mwnZ mshy³ msev` c‡Î wewfb Ask (wKwcs) Gi cwZ Avgv‡`i `wó AvKlY ceK wb‡e`b K‡ib †h, 8g RvZxq msm` wbevPb 01-10-2001 Zwi‡L AbyôZ nq wKš Zrcie Zx evsjv‡`k Rb‡Mwôi Dci cPÛ iKg wbcxob AbyôZ nq we‡kl Kwiqv msL¨vjNym¤c`v‡qi bvix cy“l wbwe‡k‡l Lyb I hLg Kiv nq, Aw ms‡hvM, nZ¨v, ivnvRvbx, jÿb, bvix alY Kiv nq| GB cm‡½ `iLv‡¯i mwnZ mshy³ G¨v‡bKPvi- G wmwiR e¨wZ‡i‡K Avi I wewfb msev` c‡Î cKwkZ NUbvejxi cwZ Avgv‡`i `wó AvKlb Kwiqv wZwb e³e¨ Dc¯‹vcb K‡ib| ZvnvQvov, wZwb wewfb gvbewaKvi ms¯‹v KZK.cKwkZ cwZ‡e`‡b 2001 m‡bi A‡±vei 3 nB‡Z wW‡m¤i 31 ZwiL chš evsjv‡`‡k AbyôZ ˆckwPK NUbvejx cwZ Avgv‡`i `wó AvKlb K‡ib| D³ mKj NUbvejxi Av‡jv‡K wZwb wbevPb cieZx mwnsm I ˆcPwkK wbhvZ‡bi e¨vcv‡i Z`‡ši Av‡e`b K‡ib| wZwb msev`c‡Î cKwkZ †fvjvi GKwU NUbv eYbv Kwi‡Z wMqv Av‡বগপ্তি fv‡e e‡jb †h, msL¨vjNym¤ú`v‡qi GKRb `yfvMv gv Zvnvi Acwi YZ eq¯‹ Kb¨v‡K alK‡`i nvZ nB‡Z i¶v Kwi‡Z e¨_ nBqv Kvbv RwoZ K‡Ú Abyiva KwiqvwQj †h evevi Avgvi †g‡q †QvU, †Zvgiv GKRb K‡i hvI| H mgqKvi ˆcPwkK NUbvejx ¯§ib Kwiqv weÁ G¨vW‡fv‡KU g‡nv`q e‡jb †h AvBqv‡g Rv‡mjqv‡Zi hyMi †jv‡KivI GBi“c eei Ae¯v cZ¨¶ K‡i bvB hvnv evsjv‡`‡k Aóg mvavib wbevPb cieZx mg‡q msNwVZ nBqwQj| GBi¡c ˆckwPK NUbv wØZxq gnvhy×Kvjxb mg‡q †cvj¨v‡ÛI N‡UbvB hvnv evsjv‡`‡k NwU‡qwQj| miKvi c‡¶i `wLjKZ.Gwd‡WwfU Bb AcwRkvb Gi cwZ `wó AvKlY ceK wZwb wb‡e`b K‡ib †h, evsjv‡`k সরকারও সংশি্ষ্ট সg‡q msNwVZ wewfb mwnsm NUbvejx I wbhvZb gj‡K NUbvejxi Rb¨ GKwU Z`š Kwgkb MVb Kwievi জন্য স্বক্রিয়ভাবে we‡ePbv Kwi‡Z‡Qb weavq wZwb I GBi¡c GKwU Z`š Kwgkb MVb Kwievi cv_bv K‡ib hvnv‡Z wPwýZ `yZKvixM‡Yi kw¯ weavb nB‡Z cv‡i| Ab¨v_vq j¶NZ gvbeZv I b¨vq wePvi c¥i“×vi nB‡e bv Ges mseav†b gvbewaKvi wbwðZ Kwievi †h A½xKvi iwnqv‡Q Zvnv fzwÉZ nB‡e| Avgv‡`i c‡ki DË‡i weÁ wW.G,wR e‡jb †h `iLv¯‹Kvix c‡¶i D³ cv_bv m¤‡Ü miKvic¶ †Kvb AvcwË DÌvcb Kwi‡Z‡Q bv|

Dfq c‡¶i e³e¨ keb Ges mshy³ KvMRw` (G¨v‡bKPvi- G wmwiR) Ges GZ`-সংক্রান্ত বহুবিধ পুস্তক যাহাতে ০১-10-2001 Zwi‡L AbyôZ 8g RvZxq msm` wbevPb-cieZx mg‡q mwnsm wbhvZb gj‡K NUbvejxi we¯wiZ eYbv iwnqv‡Q Zvnv ch‡e¶b Kiv nBj| ZvnvQvov, gvbeZvi wei“‡× Aciva m¤úwKZ RvZxq m‡¤§jb 2002 †Z cKwkZ cÖ‡KI G m¤‡Ü wel` weeib c`vb Kiv nBqv‡Q| mwnsmZv Ges wbhvZb gj‡K NUbvejxi †h eYbv D³ wewfb `wjjw`‡Z eYbv D³ `wjjw`‡Z ebbv Kiv nBqv‡Q Zvnv mZ¨ nB‡j wbw×avq ejv hvq †h, সংশি্ষ্ট সময়ে evsjv‡`‡k gvbewaKvi fyjÿZ nBqwQj hw` I gvbewaKvi i¶v Kwievi A½xKvi evsjv‡`k msweav‡bi wØZxq I ZZxq fv‡M wbwðZ Kiv nBqv‡Q| Z‡e `iLv¯‹, Zrmshy³ KvMR I cÖK I `wjjv`x‡Z ewYZ bxsm I mwnsm ঘটনাবলী সম্বন্ধে কোন মন্তব্য প্রদান করা সমীচীন হইবে না কারন অত্র দরখাস্তে সংশি্ষ্ট সময়ে সংঘঠিত সহিংসতার ঘটনাবলী সম্বন্ধে একটি তদন্ত কমিশন গঠন সম্পর্কে প্রার্থনা করা হইয়াছে। প্রকৃতপক্ষে সংশি্ষ্ট সময়ে তৎকালীন miKvi c‡¶ AvBb mwVK fv‡e c‡qvM KiZt ZLbB GKwU Z`š Kwgkb MVb Kwi‡j gvbewaKvi wKQyb nB‡j I i¶v nBZ| †h‡nZz`iLv‡¯, Bnvi mwnZ mshy³ KvMRw`‡Z Ges `wLjKZ.`wjjw`‡Z gvbewaKvi f‡½i AmsL¨ NUbvi eYbv iwnqv‡Q hvnv RwZi we‡eK‡K bvov w`‡Z eva¨| GgZ Ae¯vq wej‡¤ nB‡j I Avgiv g‡b Kwi †h GKwU Z`š Kwgkb MVb nIqv DwPZ| D³ Kwgkb gvbewaKvi f‡½i cwZwU NUbvi mÿ Z`š Kwi‡e| Ab¨_vq hw` `iLv¯‹Kvix c‡¶ DÌwcZ Awf‡hvM mZ¨ nq Zvnv nB‡j ewYZ eei, ˆcPwkK NUbvejx hvnviv we‡eKnxb fv‡e NwU‡q‡Q GB RwZ Zvnv‡`i mg Aciv‡a Aciva nB‡e, mseav‡bi gj‡bxwZ I Av`k f½ nB‡e Ges we‡ki `iev‡i eei RwZ wnmv‡e Avgv‡`i cwiwPwZ nB‡e| GgZ Ae¯vq evsjv‡`k miKvi‡K GKwU Z`š Kwgkb MVb Kwievi Rb¨ wb‡`k c`vb KivUvB mgxPxb nB‡e ewjqv Avgv‡`i wbKU cZxqgvb nB‡Z‡Q|

GgZve¯vq, Avgiv cwZev`xMY‡K the Commissions of Inquiry Act, 1956 (Act No. VI of 1956) AvB‡bi AvIZvq 2001 m‡bi 1jv A‡±ve‡i AbyôZ 8g RvZxq msm` wbevPb cieZx mg‡q msNwVZ Kw_Z bqsk ˆckwPK I eei NUbvejx we‡kl Kwiqv msL¨vjNyRb‡Mwói Dci Ges we‡ivax `‡ji Dci wbcxob, wbhvZb, nZ¨v, alb, M‡n AwM ms‡hv‡Mi Awf‡hvM m¤ú‡K GKwU cÖwZ Z`š Kwievi Rb¨ wb‡`k c`vb Kiv nBj|

GB Z`‡š Kwgkb Dc‡i ewYZ AvB‡bi AvIZvq MVb Kiv nB‡e| cwZev`xMY‡K AÎ ivq cwiß `yB gv‡mi g‡a¨ D³ Z`š Kwgkb MVb Kwievi Rb¨ wb‡`k c`vb Kiv nBj| D³i¡c MwVZ Z`š Kwgkb AvMvgx 6 gv‡mi g‡a¨ Zvnv‡`i cwZ‡e`b miKv‡ii wbKU `wLj Kwi‡eb|

এ সম্পর্কে সংশি□ষ্ট সকলকে স্মরন রাখিতে হইবে যে আইনের দৃষ্টিতে অপরাধীগণকে ‘অপরাধী’ ব্যাতিত তাহাদের অন্য †Kvb cwiPq bvB| Z`š Kwgkb m¤úb-wbi‡c¶ I wb‡gvn fv‡e Zvnv‡`i Dci AwcZ `wqZ cvjb Kwi‡eb| Z`š cwZ‡e`b cwßi ci cwZev`xMb cPwjZ AvBb Abyhvw‡i c`‡¶c MnY Kwi‡Z eva¨ _wK‡eb| G m¤ú‡K †Kvb wb‡`kbv c‡qvRb nB‡j cwZev`x c¶ A_ev `iLv¯ Kvix AÎ Av`vj‡Zi wbKU w`K wb‡`kbv cv_bv Kwi‡Z cwi‡eb| GB †c¶vc‡U AÎ ixU †gvKÏgwU Continuing mandamus wnmv‡e MY¨ Kiv nBj|

Dc‡iv³ gše¨ Ges wb‡`kbv c`vb mnKv‡i webv LiPvq AÎ i“jwU G¨vemwjDU Kiv nBj|

GB cm‡½ ejv c‡qvRb †h, `iLv¯Kvixc‡¶i weÁ G¨vW‡fv‡KU Rbve gbwRj †gvi‡m` Ges cwZev`x c‡¶i kxhy³ Kiyhvgq PvKgv Ges †gv¯dv Rvgvb Bmjvg, †WcwU G¨vUYx †Rbv‡ij g‡nv`qM‡Yi AKvš cwikg ab¨ev`‡hvM¨|