

Enforcement of Human Rights through Judicial Activism of Bangladesh

Course Name: Research Monograph

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Letter of Transmittal

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Subject: Letter of Transmittal

Dear Sir,

With due respect I submit herewith a proposal on "**Enforcement of Human Rights through Judicial Activism of Bangladesh**" under the course Research Monograph. Through this report i have given all of my best efforts to made it. Best try to collect all relevant information from different sources. Thank you for your supportive consideration for formulating an idea. Without your inspiring this report would have been an incomplete one.


Lastly I would be thankful once again if you give your judicious advice on effort.

yours' sincerely

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Letter Approval

This is to certify that the work is done "**Enforcement of Human Rights through Judicial Activism of Bangladesh**" is a real work done by Jahanur Fatema ID- 211-38-413 batch-34. Department of Law, Daffodil International University done under my supervision in the partial fulfilment for the research, work is completed for fulfilment of course requirement of law-812, 812 from the Department of Law, Daffodil International University.



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Declaration

I Jahanur Fatema do hereby declare that this research paper "**Enforcement of Human Rights through Judicial Activism of Bangladesh**" submitted by me for award of the degree of Masters of Law, Department of Law of Daffodil International University.

I further declare that the research work presented in this thesis is original and it has not been submitted earlier either partly or wholly to any other university for any academic qualification/certification/diploma degree.



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Certification

This is to certify that the research paper entitles "**Enforcement of Human Rights through Judicial Activism of Bangladesh**" has been prepared by Fatema. It is prepared for the partial fulfilment of the requirement for the award of the degree of Masters of Law, Department of Law, Daffodil International University. The research has been carried out with my guidance and as a research of bonafide work carried out successfully

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Abstract

Purpose: The purpose of this paper is that evaluate the Judicial Activism. The main theme of this paper is Judiciary protect and promote human rights from unsystematic or from wrong side of the state or the society. For clear this paper topics there use some case of higher Judiciary in Bangladesh.

Methodology/Design/Approach: This paper focus on Bangladesh. Give Bangladesh case, arrange secondary sources Article, Journal, books and others which is relevant with this paper topics. Most of the source collect from online.

Finding: The Judicial Activism or Public Interest Litigation (PIL) ensure human rights and also give protection and promote the human rights.

Research Limitation /Implication: This paper limitation based on secondary sources.

Practical Implication: This paper help to analysis to upcoming limitation which need to give judiciary for protect human rights of Bangladesh properly. Need to modify British law which help PIL to ensure human rights. **Social Implication:** social awareness help to remove complications or difficulty about human rights. NGO of Bangladesh how much work for human rights and its benefit able for judiciary, this paper finding and recommended it.

Originality/value: This paper will be interest add now knowledgeable about public interest litigation and Human Rights context of Bangladesh.

Key Words: Human rights, change, PIL, Bangladesh rule of law, NGOs'. Judicial Activism, Constitution, Article

Paper Types: Gathering knowledge from different link sources from Google, case study, Newspaper Article.

Table of Contents

Letter of Transmittal.....	ii
Letter Approval	iii
Declaration.....	iv
Certification.....	v
Acknowledgement.....	vi
Abstract.....	vii
Table of Contents.....	viii
Objective of This Research.....	ix
Introduction.....	1
CHAPTER 1 HUMAN RIGHTS	
1.1 About Human Rights.....	2
1.2 Human Rights of Bangladesh.....	3
1.3 Some Rules of Law which violation human rights in Bangladesh.....	3
CHAPTER 2 JUDICIAL ACTIVISM OR PIL	
1.1 About Judicial Activism or PIL.....	4
1.2 Is Bangladesh ensure human rights by Judicial Activism or PIL.....	5
1.3 NGO's helps PIL to ensure Human Rights.....	8
Conclusion.....	9
Reference.....	10

Objective of This Research

1. For better understanding about Judicial activism an human rights.
2. Citizens aware about their rights.
3. Some Scholar think that ignore the law and others provision only take constitutional provision. I think not so. I think not come the word ignore use word priority is constitutional law and then focus others law. Every citizen has equal rights according to constitution part-III. I upload on my research is that first priority on constitution then others law. Not avoid or ignored the others law.
4. By Public Interest litigation how much protects human rights of Bangladesh. I give out on my research.
- 5 NGO's are promoting PIL or not give out on this research paper.
6. Is any fault on Bangladesh PIL to ensure human rights or not gather in this research paper.
7. How much ensure fundamental or constitutional rights by PIL.

Introduction

In this paper mentioned actual value of Judiciary value of Judiciary. Judiciary plays role to ensure human rights of Bangladesh through Judicial Activism. This paper written about Bangladesh purpose. In Bangladesh Judiciary have some part like judicial activism and advisory jurisdiction. Give Judicial Jurisdictions power Independency limitation. [Bangladesh Constitution part VI says about Judiciary. This part into three chapter which is, Chapter-I give instructions about Supreme Court [Article-94 to 113] such as establishment of Supreme Court, Appointment of Judges, Tenure of office of Judges, Temporary appointment of Chief Justice, Additional Supreme Court Judges, Disabilities of judges after retirement, seat of Supreme Court, Jurisdiction of High Court Division to issue certain orders and directions etc. Jurisdiction of Appellate Division, Issue and execution of process of Appellate Division, Review of judgment or orders by Appellate Division, Review of Judgments or orders by Appellate Division, Advisory jurisdiction of Supreme Court as court of record, Superintendence and control over courts, Transfer of cases from subordinate courts to High Court Division, Binding effect of Supreme Court judgments, Action in aid of Supreme Court, Staff of Supreme Court. Chapter-II (114 to 116A) says about Subordinate Court such as Establishment of subordinate courts, Appointments to subordinate courts, Control and discipline of subordinate courts, Judicial officers to be independent in the exercise of their functions and Chapter-III says about Administrative Tribunals Article- 117.]¹

However all those chapter of constitution given difference guideline and there have others papers.

But in this present paper only highlighted judicial activism or public Interest Litigation (PIL) . Have a big concern about violation of human rights of this earth or world. And protecting or promoting or ensuring human rights many national and International legal logical document provision Convention, Treaties, Record, Paper, principle, theory etc. By Judicial activism and It's practiced all country protect violation of human rights. Such as dignity of life and liberty, equality including unlawful killing, detention and arbitrary arrest . Some of these have been in response to attacks by arm groups claiming to act in the name of Islam or others religion. ² Rights to freedom, Unlawful arrests occur frequently protect this violation in Bangladesh practices Judicial Activism or PIL and Suo-moto relevant case take from Bangladesh law source like DLR, BLD etc.³

¹ <https://www.amnestyusa.org./countries/bangladesh>

² Bangladesh constitution

³Judicial Activism, PIL and suo-moto have been organized later

CHAPTER 1 HUMAN RIGHTS

1.1 About Human Rights

Human Rights which means that all human being get rights inherently nationality, place of residence, sex color, religion, language doesn't matter. We all equally enjoy human rights without discrimination. All Human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood.⁴ Simply human rights is that rights inherent to all human beings.⁵ A human claim his or her rights under two conditions.⁶

1. Claim as a human being not a artificial person like a company or corporation etc. ⁷
2. Acquire claiming rights by birth which is inherent not given by state or government. ⁸

On December 10, 1948 the General Assembly of United nation adopted and proclaimed the Universal Declaration Of Human Rights (UDHR).⁹ Human rights is Inalienable and have universality and egalitarian which give human university for application of human rights and Egalitarianism focus on what rights will be all human being. Fawcett pointed that human rights have some others name such as fundamental rights or basic rights or natural rights.[But some scholars saying that All fundamental rights are human rights but all human rights are not fundamental rights because fundamental rights are those rights which given by constitution and Human rights are mentioned in separate document and on that document fundamental rights also a part . Fundamental rights source is constitution of a state but human rights source is the International Law. Fundamental rights created by individual state for It's own citizens which have territorial limits but human rights have no territorial limits. It gives for all human of the world. Violation of fundamental rights gives remedy grantee by constitution and application through the state court and human rights applicable to universally. A state have three organ such as executive, legislative and Judiciary and those organ give service to ensure fundamental rights of a state but human ensuring by every state of the world.] ¹⁰

On UDHR give human rights for human life. It contain 30 Article. And Every Article mentioned different categories of human rights such as,

Article 1 and 2 of UDHR are the Foundation blocks which reaffirm human dignity, equality and brotherhood, Article 3 to 11 reaffirms that types rights which is individuals like rights to life, equality before the law, slavery, torture, right to fair trail etc, Article 18 to 21 give spiritual and religious rights of human such as, freedom of thought and conscience, right to

⁴UDHR- Article1

⁵ <https://www.un.org-global/issue>

⁶Mirza FarzanaQbal Chowdhury - Book Hira Publication

⁷ Ibid. p. 6

⁸ Ibid. p. 6

⁹www.un.org/en/document/udhr/index.from online source

¹⁰<https://www.lawyersjurists.com/article/fundamental-rights-in-the-constitution-of-bangladesh-2/>

personal or own opinion right to peaceful assembly and association, and the right to vote and take part in government.¹¹ Article 22 to 27 give social and cultural rights such as right to work, right to standard living, right to education etc¹². And the last three Article of the UDHR 28 to 30 remind us that rights come with obligations, and that none of the rights mentioned in the UDHR can be used to violate the spirit of the United Nations.¹³

For more strongly protect the violation of individuals human rights Internationally made another two namely International Covenant on Civil and Political Rights (ICCPR) which provided Civil and political rights internationally. and the another Convention is International Covenant on Economic, Social and Cultural Rights (ICESCR) promoting the principle of progressive realization of all economic, social, and cultural rights by States to their peoples.¹⁴

1.2 Human Rights of Bangladesh

Before Independence Bangladesh is under on Pakistan and follow the British and Pakistani Law. Bangladesh get independence after Liberation War 1972 and gain a dignity as a state.¹⁵ November 1972 Bangladesh adopted constitution. It was amendment 2014.¹⁶ Bangladesh Constitution have 11 parts and every part given different sectors guideline. However Part-II Article 8 to 25 of the constitution mentioned fundamental State Policy and Part-III Article 26 to 47A determine the Fundamental rights of State citizens which called basic or natural or human rights of Bangladesh. This constitution recognize some freedom and duties or obligation such as equality before the law, rights to protection of give some individual freedom which is freedom of movement, Assembly, association freedom, freedom of thought and conscience and speech, freedom of religion, rights to property , right to life etc. Article 13 to 16 of the constitution deal with the property rights of citizens. Property rights is the key sector of economy of the state. Article 17 and 18 deal with basic necessities of individual citizens life like as food, health, shelter education and provide law and rules against alcohol or drug. Article 27 and 28 give direction of non discrimination and gender equality. The state never discriminated on ground of sex or gender, religion, race, cast or birth place. And Bangladesh ensure fundamental rights by constitution which is the mother of all law. Give remedy by judicial activism or PIL.

However Bangladesh constitution part-III Article 27 to 44 give 18 fundamental rights list which protect and promote Judicial activism in Bangladesh.

1.3 Some Rules of Law which violation human rights in Bangladesh

- However in Bangladesh there have rules of crossfire which have positive and negative both impact. If focus on negative impact this rules violation human rights which is right to live. Cross fire rules is for reduce huge case load in court system, avoid lengthy trail

¹¹<https://www.fao.org/faolex/results/details/en/c/LEX-FAOC117108/>

¹² Ibid. p. 11

¹³ Ibid. p. 11

¹⁴ Research paper most of pattern follow from IJLMA-07-2013-00291.pdf

¹⁵ Ibid. p. 4

¹⁶ Ibid. p. 10

process.¹⁷It's not a type of unlawful its call extra judicial killing which established Establish safety, security, peace and tranquility in society. Inmates cost, jail overcrowding. Cross fire is not unlawful because people who are killing by cross fire there have very bad and long criminal history and they never obey the rules of law.¹⁸ Some organizations of human rights says extra judicial killing is unlawful cause of Its violation of human rights right to live. According to Article-32 of the Constitution of the People's Republic of Bangladesh, "No person shall be deprived of life of personal liberty save in accordance with law". So our constitutional fundamental rights not support extra judicial killing. If show on international law, Convention, treaties also are not support extra judicial killing or cross fire. Cross fire is one type of reattribute punishment. For secure life cross fire is important rules but there also need to ensure human rights properly i.e. ensure that no violation arises of human rights by cross fire, all can enjoy there basic rights freely.¹⁹

- In Bangladesh still now followed British rule wherever India and Pakistan change or modify those rules after Independent. Bangladesh also change or modify British Some British rules may be conflict with Human rights such as penal code 1860 is a British law and It's section 497 adultery I think this section conflict with the constitution Article 26, 27.²⁰ This section discriminated on sex or gender. So need change on British law which may be helpful to ensure human rights.

CHAPTER 2 JUDICIAL ACTIVISM OR PIL

2.1 About Judicial Activism or PIL

Public Interest Litigation or judicial activism this term is not new. Many academic study on this site. Many of us know the meaning of judicial activism. However Judicial activism is that procedure who played vital rule to ensure human rights or constitutional fundamental rights. Which describes how judge approaches or is perceived to approach exercising judicial review and this term refers that a judge focus or overlooks on legal precedents or constitutional matters in favor of protecting individual rights.²¹ It's another name is public interest litigation.²² Generally PIL means that use of the law to advance human rights and equality, collect fair or justice.²³

In Bangladesh about PIL says on the constitution Article 102. Constitution Part-II and part-III give the list of fundamental rights or basic rights or human rights of Bangladesh. And Article

¹⁷https://scholar.google.com/scholar?hl=en&as_sdt=0%2C5&q=Human+rights+violation+in+Bangladesh+&btnG=#d=gs_qabs&u=%23p%3D1BW_1hZgCI4J

¹⁸Ibid. p. 17

¹⁹Ibid. p. 17

²⁰https://www.academia.edu/20041384/An_assignment_on_Public_Interest_Litigation_in_Bangladesh.

²¹www.thoughtco.com/judicial/activism

²² Ibid. p. 21

²³ <https://www.pilsni.org/about-public-interest-litigation>

102 says when the human rights were violated such as violation do equality before the law, Right to life, Civil and Political rights etc section 102 allow the citizens to file and application against violation. Bangladesh PIL which is Judicial activism or Judicial administration is may be formal. However, PIL establish to ensure human rights, human distinction and for good governance.²⁴ 1992 Bangladesh shorted PIL for first time in custody case Hafizur Rahman ShamaunNahar Begum.²⁵ In this case High Court Division declared that, respondent get maintained from her husband(Applicant) till her remarriage or death according to Islamic family law.²⁶ On that case it may be noticeable that PIL in the field of Islamic family law and its application of statutes related with shariah law.²⁷ In favour of family case PIL following the personal law like for Muslim victims follow Islamic Law in Bangladesh on the matters of marriage, custody, divorce, maintenance etc.

2.2Is Bangladesh ensure human rights by Judicial Activism or PIL

In the constitution of Bangladesh Article 41 says about freedom of religion which mentioned only religious activities like religious festival, Puja-Parban, Eid, Christmas Day etc. However Bangladesh most of the people are Muslim and some are Hindus and others religious. But ever year every time this religious rights were violated. Bangladesh constitution part-III give fundamental human rights for its citizens. The constitutional government also establish constitutional legal obligation by others law to ensure this rights and to ensure this rights PIL is main character. Constitution is the Supreme law of Bangladesh Article- 7 (2) says that also says if any law or rule or provisions or legal procedure was made by the state administration authorities or social authorities and those legal provisions conflict with the constitution then it shall be void.²⁸ Now the main point of this paper is how much Bangladesh protect and promote human rights by PIL. Let see some land mark case of Bangladesh.

- Right to life: UDHR Article-3 and the Bangladesh constitution Article 31 and 32 give rights to life. Every human beings has entitled right to life. Right to life this term have classical meaning which mean survive but another meaning is that the dignity, decency also include security of life right to health environment rights etc which given by legalis.²⁹ There have a land mark case Judgment which is related with right to life.³⁰ Namely Ain O Salish Kendra Vs Bangladesh in this case, HCD declared that shelter is right to life for helpless, footless people like poor and Basti people and provision must ensure this rights as basic rights due to respect dignity and equal protection.³¹ Another case is Advocate Zulhasuddin V Bangladesh which held for VAT on medical receipt which is violated the rights to health or life. Similarly Prof. Nurul Islam Vs state -2000 BDLR 413 It's a birth case which is related to public health and violation right to life and on that case HCD pronounced judgment in the favour of PIL.

²⁴www.lawteacher.net/free-law-essays/constitutioned.law

²⁵ <https://www.lawyersjurists.com/article/hefzur-rahman-md-vs-shamsunnahar-begum-and-other>

²⁶ <https://www.lawteacher.net/free-law-essays/constitution.law-essay>

²⁷ bdlawdigest.org/the-expansion-of-the-term-right-to-life.html

²⁸ <https://www.amnestyusa.org/countries/bangladesh>

²⁹ bdlawdigest.org/the-expansion-of-the-term-right-to-life.html

³⁰ <http://www.escr-net.org/caselaw/2006/ain-o-salish-kendra-ask-v-government-andbangladesh.org-19-bld-1999-488#>

³¹ <https://www.blast.org.bd/issues/gender-women-rights>

MohiuddinFarooque V Government WP No- 894 of 1994 is most discussable case which related to environmental rights which also violated the right to life.

- Women Rights: Bangladesh constitution Article 28(4) says that if any provision made made for women and child on any backward citizen's welfare this Article shall not prevent. It may be give women extra rights under human rights. There is most discussable case BLAST vs. Bangladesh, 55 DLR(2003) 363. BLAST Ain O Salish Kenra, ShonmilitoSamajikAndolonansservral individuals file writ petition in the High Court Division and mentioned fundamental Article 27,31,32,33 and 35.³² In this case High Court determines the violation of woman rights or fundamental rights under constitution.³³ on that case court made equality in favour of women. There have another case BLAST V Secretary of the Ministry of Education 13 January 2011.³⁴ On that case mentioned Article-27 Equality before the law, Article 31 protection of law Included Article 35(5), 44,102. However in this case court found that corporal punishment which violence of women and children rights.³⁵ Court held that No person shall be the subjected to torturxe or cruel.³⁶ Recently made law on the offence of rape. The punishments of rape offender is death penalties or life imprisonment. The punishments held recent years Sylhet gang rape case. Sylhet women and children Repression prevention Tribunal on January 17, 2021 had framed charged in this rape case.³⁷ Case fact summary is that 25 September 2021. The husband whose wife was gang raped at MC College Sylhet.³⁸ Five person are accused in this case. Article(1), 8(1A) (2A) or Article 25(2) give extra rights for women and children and others backward communities people. Some scholars think that It's highly discriminatory Article. But in deeply of these article it's beneficiaries article not discriminatory. It gives benefit for backward citizens. Women, Children, if normally think it sense that children are not self-dependable they always depend on adult person. Women are self-dependable citizen but in some sector or spot or place their self depends is not work like harassment, rape, forcefully abortion, dower or others sexual violence etc. So they need extra protection or care because they also gain right to life. And those article of the constitution provided that security which is deeply meaningful in favour of women. So It's not the use able for the word discrimination It's proper word is that the security, extra protection. Which may be not need for a man.
- Children Rights : The greatest English poet William Butler Yeats, a Nobellaureate in Literature once says,
"Come away, O human child!
To the waters and the wild
With a fairy, hand in hand,
For the world's more full of weeping

³² <https://www.blast.org.bd/issues/gender-women-rights>

³³ archive.crin.org/en/library/legal-database/blast-v-secretary-ministry-education.and.others.html

³⁴ <https://www.pdhre.org/rights/minorities.html>

³⁵ Ibid. p. 34

³⁶ Ibid. p. 34

³⁷ developmenteducation.ie/feature/human-rights/a-sumarry-of-the-universal.declaration-of-human.rights.

³⁸ Ibid. p. 37

Than you can understand.”³⁹

In Bangladesh most of the people are poor and they cannot give proper maintenance to the children. And their children doing various work for living. Doing that work children cannot enjoy their rights properly. Suffer health disorder, cannot get proper food and safe drinking water. which violation basic constitutional rights of Bangladesh.

- **Right to Minorities:** The rights to minorities refers that every human of the state have minority protection under law like protection of law, including cultural, religious, social, economic and public life.⁴⁰ In the UDHR set the rights of minorities and on that rights there not mentioned any discrimination provision. Article 1,2,7 and 23 granted that rights without discrimination on sex, cast, Colour, gender, religion, race, social origin, property status, by birth place, political or others opinion status.⁴¹ In Bangladesh constitution also mentioned the minorities rights on Part-II fundamental state policy and some go through on fundamental rights part-III. Article 10 ensure that society freedom exploitation, Article 11 and 41 of the constitution give the freedom religion. Article 28 give the equality without discrimination on ground of sex, race, religion, status etc. Everyday every single movements Bangladesh face the violation of minorities rights. Hindu People attack on the morality of Muslim and Muslim people attack on Hindu people. However every citizen shall have rights to enjoy their life without discrimination. Nowadays in Bangladesh faces to get equal protection. Every year in any occasion of hindu religious people like puja, Muslim people attack on that festival, destroy their Devi. The constitution give freedom of religion all of its citizen. Have also equal provision for minorities. In Bangladesh there may be 27 different ethnic groups and six linguistic minorities and some others minorities. In the case Jamat-e-Islam and Islamic ChhatraShibir made fire attack on hindu people Noakhali district. After that crime Court granted death sentence for the leader Delwar Hossain Sayedee. However to protect that rights judiciary issue PIL or su-moto. Article 29 of the constitution give the opportunity on public employment. There have some Quota which made discrimination on minorities rights. After the Quota Andolon And Quota emolument Andolon government of Bangladesh change this Quota part and made provision. The main purpose of this article is that to ensure equal rights opportunity and employment on public sector.⁴² The violation of minorities rights happen since independence of Bangladesh.
- **Civil and political Rights:** Violation of civil and political rights also the violation of constitutional fundamental rights. Article 27 to 44 are the fundamental rights and if it's violation by any public or private authority or community basic rights are violated. It's the work of Judiciary to protect or ensure the human rights violation. There have a case Bangladesh Legal Aid Service (BLAST) V Bangladesh 3 August 2003. On that case ensure hundred of woman and children civil and political rights which called prisoners

³⁹ Good reads: Quotes about Children. Available at <http://www.goodreads.com/quotes/tag/children>.

⁴⁰ <https://www.dhakatribune.com/Bangladesh/court/2021/03/07/mc-college-gang-rape-case-moved-to-speedy-trial-tribunal>

⁴¹ Ibid. p. 37

⁴² Ibid. p. 2

rights.⁴³ This case give a meaningful direction of prisoners rights Before trial of a child offender first send on Juvenile Court for positive step.⁴⁴In the case, of Ain O Salish Kendro (ASK) v Bangladesh [1999].⁴⁵ On that case protect fundamental rights of poor by PIL. However PIL or Judicial activism ensure and protect human rights and also ensure fair justice.

There have so many cases of Public Interest Litigation and on that case views that to ensure human rights. Some cases principle gives unique direction to the government to protect human rights by alternative shelter. Some case judgment may be made as e principles.

2.3 NGO's helps PIL to ensure Human Rights:

Now in Bangladesh are aware about their rights it's possible for NGO's. NGO full form is Non-Governmental organization. There are 26000 registered for the development of the country. NGO increase judicial system or PIL. Promote the Constitutional basic rights. If fundamental rights violated by any political person, locator by public authorities, NGO'S may help to protect that rights ensure equality of Justice providing legal support promote the civil economic political and social rights through public interest litigation. PIL developing after in case DrMohiuddinFarooque Vs Bangladesh. In 1994 NGO BELA files this case on ground of environment pollution such as soil, water, air etc. which is violation of human rights. There Have so many NGO in Bangladesh who work for Human rights There have another case Namely BELA Vs Bangladesh and others on that case view so many NGO's name BELA, ASK, BLAST, BRAC, and LAB. They jointly file writ petition for safety.⁴⁶ In the case of DrNeelima Ibrahim Vs Bangladesh held that rights to equality rights to the protection of law. On that case Legal Aid Service Act 2000 provided law protection. NGO work many sector like labor rights, children rights woman rights, environmental rights, right to life etc. They organized many function for concerning to the people about human rights. Through various meeting, sitting, seminars conference and etc. NGO promote Public interest litigation to ensure human rights. NGO also work on urban side and help the poor village people. On favour of constitutional fundamental rights most of the case established or file by NGOs'. Famous NGO'S in Bangladesh are BRAC, ASA, Caritas Bangladesh, CARE Bangladesh, BURO Bangladesh, Oxfam in Bangladesh, Wikimedia Foundation (WMF), Shakti Foundation, Jagorani Chakra Foundation (JCF), TMSS. NGO played dynamic roles in Bangladesh. They challenges the polity of the country. Where government fail to promote human rights that's where NGO delivery the special service for public. NGO have power to Inter into different territory where legal's system inter late after maintain procedural formalities. NGO highlighted the social political economical problem of people. After highlighting is easy for PIL to ensure Human rights and protected it. And on violation of human rights PIL declared fair justice on that highlighting matters.

⁴³ Writ Petition No. 7578 of 2003, 57 DLR; 2005, pp. 11-14

⁴⁴ Ibid. p. 43

⁴⁵ Writ Petition No. 4152 of 2009. Cited in AKS: www.askbd.org/web/?p1506 (accessed 6September 2012).

⁴⁶ Writ petition No 4919/2010 Nimtoli-fire Dhaka.

Conclusion

Explain of this overall research paper which is analytical which found relationship between NGO's "human rights" and "public interest litigation". In a state Government are not enough to ensure human rights. Public or private organization work together to promoting human rights. On that paper given shortly explanation about fundamental or basic rights of human rights like rights of life, Rights to religion, Rights women, right to environment, good governance, children rights, property rights etc, Also give some good governance related to PIL, Some case established by some organization NGO-BLAST, ASK, BELA, BMP. Most of the cases are violation of women rights, rape case, minorities, fire damage the house temple. In this paper is highlighted that PIL ensure human rights establishing rule of law and NGO's more clearly highlighted that by doing some private or public organizations, function.

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