

IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. _____ OF 2025.

IN THE MATTER OF:

An application under Article 102 of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Public Interest Litigation (PIL).

AND

IN THE MATTER OF:

Article 18A and 32 of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Violation of মহানগরী, বিভাগীয় শহর ও জেলা শহরের পৌর এলাকাসহ দেশের সকল পৌর এলাকার খেলার মাঠ উন্মুক্ত স্থান, উদ্যান এবং প্রকৃতিক জলাধার সংরক্ষণ আইন ২০০০ এবং পরিবেশ সংরক্ষণ আইন ১৯৯৫ এবং পানি আইন ২০১৩.

AND

IN THE MATTER OF:

Inaction of the respondents to take necessary steps to stop pollution of water of Shitalakshya River which is caused by untreated waste, direct link of sewerage line to river, thrown of rubbish and waste materials in the river and release of chemical mixed water from the industries.

AND

IN THE MATTER OF:

For a direction upon the respondents No. 1 to 9 to take immediate steps against the respondents no. 8 to 125 for polluting the water of Shitalakshya River at Narayangang.

To,

Mr. Justice Syed Refaat Ahmed, The Hon'ble Chief Justice Bangladesh
and his companion judges of the said Hon'ble Court.

AND

IN THE MATTER OF:

1. Human Rights and Peace for Bangladesh (HRPB), represented by it's Secretary Advocate Md. Sarwar Ahad Choudhury, Hall No.2 Supreme Court Bar Association Bhaban, Dhaka, Bangladesh.
2. Advocate Ripon Baroi, Supreme Court of Bangladesh, Hall No. 2, Supreme Court Bar Association Bhaban, Dhaka.
3. Advocate Sanjoy Mandal, Supreme Court of Bangladesh, Hall No. 2, Supreme Court Bar Association Bhaban, Dhaka.
.....Petitioners.

-V E R S U S-

1. Bangladesh represented by the Secretary, Ministry of Shipping, Bangladesh Secretariat, P.S.: Ramna, District: Dhaka.
2. The Secretary, Ministry of Home Affairs, Bangladesh Secretariat, P.S.: Ramna, District: Dhaka.
3. The Secretary, Ministry of Environment, Forest and Climate Change, Bir Uttam AK Khandakar Road, Dhaka 1212.
4. The Chairman, BIWTA, 141-143, Motijheel C/A, Police Station- Motijheel, Dhaka.
5. The Director General, Department of Environment, Poribesh Bhaban, E-16, Sher-E-Bangla Nagar, Agargaon, Dhaka, Bangladesh.
6. The Deputy Commissioner, Narayanganj.

7. The Superintendent of Police, Narayanganj.
8. HH Textile Ltd., Taj Mahal Road, Barpa, Rupganj, Narayanganj.
9. Khalek Textile & Fabrics, Barpa, Rupganj, Narayanganj.
10. New Samrat Dyeing, Rupasi, Rupganj, Narayanganj.
11. Ananta Paper Mills Ltd., Mithabo, Rupganj, Narayanganj.
12. Lina Paper Mills Ltd., Murapara, Rupganj, Narayanganj.
13. Jaya Knitting Ltd., Tatki, Rupganj, Narayanganj.
14. Deepa Food Products Ltd., Uttar Rupasi, Rupganj, Narayanganj.
15. Karatoya Apparels Ltd., Uttar Rupasi, Rupganj, Narayanganj.
16. Shakil Knitex, Jalkuri Purbapara, Siddhirganj, Narayanganj.
17. Unique Thread, A/99, Shimrail, Siddhirganj, Narayanganj.
18. Babylon Knit Composite, 102/1, Pathantuli, Godnail, Siddhirganj, Narayanganj.
19. Bhibjiur Knit Composite Ltd., Uttar Jalkuri, Siddhirganj, Narayanganj.
20. R A Z Apparels (Premier Washing Plant), Pathantuli, Godnail, Siddhirganj, Narayanganj.

21. Asahi Knit Dyeing, Qutub Ail, Katherpool, Fatullah, Narayanganj.
22. M M Dyeing, Qutub Ail, Katherpool, Fatullah, Narayanganj.
23. R S K Dyeing, Senakalyan Bhaban, Post Office Road, Fatullah, Narayanganj.
24. M/S Khan Brothers Textile Mills, Post Office Road, Fatullah, Narayanganj.
25. Amin Dyeing, Dapa, Idrakpur, Fatullah, Narayanganj.
26. Antu Dyeing, Wapdarpur, Fatullah, Narayanganj.
27. Amjad Dyeing, Wapdarpul, Hajiganj, Fatullah, Narayanganj.
28. SRS Knit Dyeing, New Hajiganj, Fatullah, Narayanganj.
29. ABM Dyeing and Washing Plant, New Hajiganj, Fatullah, Narayanganj.
30. M/S Shahnur Traders and Fabrics Ltd., Shiachar, Fatullah, Narayanganj.
31. M/S Rubel Dyeing and Processing Ind., Qayumpur (South Side of Pitali Pool), Sastapur, Fatullah, Narayanganj.
32. Kadam Rasul Dyeing, Ramarbagh, Fatullah, Narayanganj.
33. Jamil Dyeing Sastapur, Kotalerbag, Fatullah, Narayanganj.

34. Rupnagar Dyeing, Nandalalpur, Qutubpur, Fatullah, Narayanganj.

35. Taj Dyeing, Purba Bhuigar, Fatullah, Narayanganj.

36. Bandhu Dyeing and Processing, Shibu Market, Qutubail, Fatullah, Narayanganj.

37. Mujahid Color Touch, BSCIC, Shasngaon, Enayetnagar, Fatullah, Narayanganj.

38. Roshwa Fabrics Ltd., Dharmaganj, Enayetnagar, Fatullah, Narayanganj.

39. Ujjal Dyeing Mills, Kashipur, Fatullah, Narayanganj.

40. M/S Loknath Dyeing, East Isdair, Fatullah, Narayanganj.

41. Bangladesh Dyeing and Processing Ind., Isdair, Fatullah, Narayanganj.

42. Sumna Dyeing and Wash Isdair, Battala, Fatullah, Narayanganj.

43. Sohel Dyeing, North Isdair, Fatullah, Narayanganj.

44. M/S B. L. Wash, East Isdair, Fatullah, Narayanganj.

45. N. A. Dyeing, East Isdair, Fatullah, Narayanganj.

46. National Textile and Processing Industries, 192, West Masdair, D.N. Road, Fatullah, Narayanganj.

47. A. F. Laundry, 8th East Isdair, Fatullah, Narayanganj.

48. Sonali Washing, Isdair, Fatullah, Narayanganj.
49. Jobair Dyeing, Post Office Road, Dapa Idrakpur, Fatullah, Narayanganj.
50. Lemon Dyeing, Post Office Road, Dapa Idrakpur, Fatullah, Narayanganj.
51. Harun Dyeing, Gabtala Intersection, Sastapur, Fatullah, Narayanganj.
52. Majumdar Washing Plant, East Isdair, Fatullah, Narayanganj.
53. Moon Dyeing, Dapa Idrakpur, Fatullah, Narayanganj.
54. M/S Ruma Fabrics, Pilkuni, Nandalalpur, Fatullah, Narayanganj.
55. Rocky Textile Pvt. Ltd., Ishakha Road, Hajiganj, Fatullah, Narayanganj.
56. Bombay Dyeing and Finishing Mills, Pagla Shi/A, Fatullah, Narayanganj.
57. Bombay Fabrics Ltd., Pagla Shi/A, Fatullah, Narayanganj.
58. Kazi Washing Plant, Purba Bhuigar, Fatullah, Narayanganj.
59. Ruposhi Group Ltd. (Ruposhi Knitwears Ltd.), Pithalipur, Lamapara, Kutubpur, Fatullah, Narayanganj.
60. IFS Textile Pvt. Ltd./Five S Composite, 631, Qutub Ail, Fatullah, Narayanganj.
61. Sarat Yarn Dyeing Limited, Bholail, Kashipur, Fatullah, Narayanganj.

62. Imperial Dyeing Industries, Panchabati, Fazilpur, Fatullah, Narayanganj.

63. Rahmania Printing Press, Nandalalpur, Pagla, Fatullah, Narayanganj.

64. Asian Fabrics Mills Ltd., Shasangaon, Enayetnagar, Fatullah, Narayanganj.

65. Al-Amin Washing, Post Office Road, Fatullah, Narayanganj.

66. Thread Plus Dyeing, Wapdarpur, Fatullah, Narayanganj.

67. Color Fair Washing Plant, New Hajiganj, Fatullah, Narayanganj.

68. Ramez Dyeing, Bholail, Fatullah, Narayanganj.

69. Sarkar Knit Dyeing and Finishing, Shasangaon, Fatullah, Narayanganj.

70. Nanupur Textile and Garments, Baraibhog, Fatullah, Narayanganj.

71. Akbar Dyeing, Sastapur, Gabtlar More, Fatullah, Narayanganj.

72. Zaman Dyeing and Fabrics Ltd., Mahna, Bhulata, Rupganj, Narayanganj.

73. M/S Fatema Yarn Dyeing, Wapdarpul, Hajiganj, Fatullah, Narayanganj.

74. M/S Azahar Yarn Dyeing, Wapdarpool, Hajiganj, Fatullah, Narayanganj.

75. M/S Sohel Yarn Dyeing, Wapdarpool, Hajiganj, Fatullah, Narayanganj.

76. Momtaz Dyeing and Processing, Kutubail, Katherpool, Fatullah, Narayanganj.

77. Hossain Washing Plant (Bandhan Dyeing), Dapa, Idrakpur, Post, Office Road, Fatullah, Narayanganj.

78. Jilani Dyeing (Shimul Dyeing and Processing), Kutubail, Katherpool, Fatullah, Narayanganj.

79. M/S Hasan Dyeing and Fabrics, Stadium Road, Ramarbagh, Fatullah, Narayanganj.

80. Salehin Fabrics, Post Office Road, Fatullah, Narayanganj.

81. Rider Threm & Accessories Industries, Hajiganj, Wadarpur, Fatullah, Narayanganj.

82. Rashwa Composite, Chatlar Math, Enayetpur, Fatullah, Narayanganj.

83. Friends Dyeing & Finishing Mills Ltd., Hajiganj, Wadarpur, Fatullah, Narayanganj.

84. Foptex (Pvt) Ltd., BSCIC, Fatullah, Narayanganj.

85. Parvez Dyeing (Barkat Dyeing & Printing), Nandalalpur, Fatullah, Narayanganj.

86. M/S Shakil Textile Mills, Qutub Ail, Fatullah, Narayanganj.

87. Gazipur Board Mills, Keodhala, Madanpur, Bando, Narayanganj.

88. New Alam Dyeing, Girda Nagarpara, Duptara, Araihasar, Narayanganj.

89. Mayer Doa Dyeing, Girda Nagarpara, Duptara, Araihasar, Narayanganj.

90. Haque Quality Dyeing, Girda Nagarpara, Duptara, Araihasar, Narayanganj.

91. Sumi Dyeing and Printing, Nagarpara, Duptara, Araihasar, Narayanganj.

92. New Bexi Dyeing and Screen Printing Works, Duptara Bazar, Tingaon, Araihasar, Narayanganj.

93. Raj Fabrics, Pathantuli, Araihasar, Narayanganj.

94. Al Baraka Dyeing Printing Processing Mills Ltd. (Al Fazal Dyeing), Tingaon, Duptara, Araihasar, Narayanganj.

95. Hridoy Dyeing & M/S Shawkat Ali Textile, Nagarpara, Duptara, Kalibari, Araihasar, Narayanganj.

96. A R Dyeing, Binaichar, Araihasar, Narayanganj.

97. Hridoy Dyeing, Nagarpara, Duptara, Araihasar, Narayanganj.

98. Ani Dyeing & Yusuf Ali Textile, Nagarpara, Duptara, Araihasar, Narayanganj.

99. Shawkat Textile, Nagarpara, Duptara, Araihasar, Narayanganj.

100. Yusuf Ali Textile, Girda, Nagarpara, Duptara, Araihaazar, Narayanganj.

101. Oishee Dyeing, Satyavandi, Nagpara, Duptara, Araihaazar, Narayanganj.

102. MR Dyeing, Nagarpara, Duptara, Araihaazar, Narayanganj.

103. Abdur Rob Dyeing, Dhuptara, Nagarpara, Araihaazar, Narayanganj.

104. M/S Dipti Dyeing & Knit Finishing Mills Ltd., Dapa, Idrakpur, Fatullah, Narayanganj.

105. Rance Apparels Ltd., Silo Road, Siddhirganj, Narayanganj.

106. Bismillah Knit Dyeing and Finishing Mill, Battala, Railway Line, Kutubail, Fatullah, Narayanganj.

107. Hossain Textile, Kutubail, Fatullah, Narayanganj.

108. Shimul Dyeing, Battala, Railway Line, Fatullah, Narayanganj.

109. Razzak Washing, Battala Railway Line, Fatullah, Narayanganj.

110. Ahona Knit Dyeing, Battala Railway Line, Fatullah, Narayanganj.

111. Color Tex Ltd., Purbalamapara, Kutubpur, Fatullah, Narayanganj.

112. Jagran Textile Mills Ltd., Jalkuri, Siddhirganj, Narayanganj.

113. Seema Knitwear & Dyeing Pvt. Ltd.,
Jalkuri Purbapara, Siddhirganj, Narayanganj.

114. Saima Knit Fashion, Jalkuri,
Siddhirganj, Narayanganj.

115. T H Dyeing, Meshwear Hosiery Mills,
Ramarbagh, Qutubpur, Fatullah,
Narayanganj.

116. S R B Printing, 191, Police Line,
Lalpur, Tagarpur, Fatullah, Narayanganj

117. G M Dyeing & Skin Printing Pvt. Ltd.,
Nandalalpur, Pagla, Fatullah, Narayanganj.

118. Al Fattah Textile, Pagla, Purbapara,
Fatullah, Narayanganj.

119. Rupam Dyeing & Printing Ind. Ltd.,
Pagla B/A, Fatullah, Narayanganj

120. Kadir Dyeing, Sastapur, Fatullah,
Narayanganj.

121. Holi Textile, Sastapur, Fatullah,
Narayanganj.

122. Haji Rasool Dyeing, Sastapur,
Fatullah, Narayanganj.

123. Shishir Dyeing, Katherpool, Kutubail,
Fatullah, Narayanganj.

124. Color Creation Limited, Katherpool,
Kutubail, Fatullah, Narayanganj.

125. Karnaphuli Textile Mill, Katherpool,
Kutubail, Fatullah, Narayanganj.

..... Respondents.

GROUND S

- I. For that water is one kind of lifesaving material and river is big source of pure water and without pure water no one cannot be alive. So, it is related with right to life under Article 32 of the Constitution of Bangladesh. Moreover, contribution of river water in case of existing living things especially aquatic animals and balancing of the environment and ecosystem cannot be ignored. If the government authorities or respondents do not protect the Shitalakshya River from its pollution then aquatic animals and ecosystem would be destroyed.
- II. For that by act or omission of the respondents they have been continuously violating the provision of মহানগরী, বিভাগীয় শহর ও জেলা শহরের পৌর এলাকাসহ দেশের সকল পৌর এলাকার খেলার মাঠ উন্মুক্ত স্থান, উদ্যান এবং প্রকৃতিক জলাধার সংরক্ষণ আইন ২০০০ এবং পরিবেশ সংরক্ষণ আইন ১৯৯৫ (সংশোধনী ২০০০ এবং ২০০২) এবং পানি আইন ২০১৩. Due to ignorance of law pollution is growing everyday within Shiatalakkaha river at Narayanganj. So, a direction should be given upon the respondents to protect Shitalakshya River from pollution.
- III. For that failure of the respondents to stop pollution of the water of the Shitalakshya River by the industries are conflicting with the provisions of Article 18A and 32 of the Constitution of Bangladesh as such the inaction of the respondents are illegal, unlawful and intentional, hence the inaction of the respondents should be declared illegal and without lawful authority.
- IV. For that every year, a huge quantity of industrial untreated waste, rubbish and industrial chemical are mixing with the water of Shitalakshya River. For this reason, the water of Shitalakshya River has been polluting continuously and its effect fall on the environment as well as to health of the human being and other living things. So, a direction should be given upon the respondents to protect Shitalakshya River from pollution.
- V. For that the respondents have not been formed any monitoring team for observing the level of pollution of Shitalakshya River. As such a direction should be given upon the respondents to form a monitoring committee consisting of government officials for prevention of pollution of Shitalakshya River. Otherwise, it would

not be possible to protect the biodiversity of the Shitalakshya River from the pollution.

- VI. For that as per Article 21 of the Constitution of Bangladesh the duty of every public servant is to perform public duties and to observe the constitution and the laws. According to the prevailing situation the provision of Article 21 of the Constitution of Bangladesh has been violated.
- VII. For that most of the respondents are the experienced public servant and very much aware of the rules and law of the land. That the duty and responsibility vested upon the respondents to serve the people but they have failed to follow the laws and rules to protect the interest of the citizen

Wherefore, it is most humbly prayed that your Lordships would graciously be pleased to issue: -

a) A Rule Nisi calling upon the Respondents to show cause as to why inaction of the respondents to stop pollution of water of Shitalakshya River, should not be declared illegal and without lawful authority and why a direction should not be given upon the respondents to take necessary steps to stop pollution of water of Shitalakshya River by way of effective measures and why a direction should not be given upon the respondents no. 8 to 125 to pay compensation for causing water pollution of the river Shitalaksha at Narayngonj as per the assessment report of respondent no. 3 and 5 and why a direction should not be given upon the respondents no. 8 to 125 to stop operation of their industries if they fail to stop pollution of water of Shitalakkah river at Narayngonj,

AND

Why a direction should not be given upon the respondent no. 3-6 to seal/close all industrial waste discharge pipe line of the respondent no. 8-125 linked with Shitalakkha river at Narayngonj who are causing pollution of river.

b) Pending hearing of the Rule an order may be passed directing the respondents no.

7 to deploy police monitoring team at day and night time for continuous monitoring on the bank of Shitalakshya River in their respective areas so that no pollution of water of Shitalakshya River could be done caused by untreated waste, direct link of sewerage line to river, thrown of rubbish and waste materials in the river and release of chemical mixed water from the industries of respondents no. 8 to 125 and also take legal action as per law against the violators who pollute water of Shitalakshya River and direct the respondent to file a compliance report within 2 weeks.

c) Pending hearing of the rule direct the respondent no. 4 to form a monitoring committee consisting of officers of the relevant government authorities to monitor and ensure so that no one can discharge untreated waste, direct link of sewerage line to river, thrown of rubbish and waste materials in the river and release of chemical mixed water from the industries of respondents no. 8 to 125 within the Shitalakshya River at Narayangonj and direct the respondent to file a compliance report within 2 weeks.

d) Pending hearing of the rule direct the respondent no. 3 and 5 to assess the financial damage in terms of Taka due to pollution of water at Shitalaksha river at Narayangonj by the respondents no. 8 to 125 and submit a report before the Hon'ble court within the 3 months.

Present Status

The case was filled and moved by Advocate Manzill Murshid, President, HRPB. After hearing the parties, the Hon'ble Court issued Rule Nisi upon the respondents and granted ad-interim order. The matter is pending before the Hon'ble High Court Division.
