



Dhaka: A High Court vacation bench on Thursday refused to hear two writ petitions filed challenging the legality of the National Broadcast Policy 2014 and the government move to restore in the constitution the provision of parliament's authority to impeach Supreme Court judges. The HC bench comprising Justice Sheikh Hassan Arif and Justice Abu Taher Md Saifur Rahman dropped the two petitions from its cause list. About the writ filed challenging the recently announced National Broadcast Policy, the court said there are many constitutional aspects here. "Time is yet to come to interfere in it as no law has been formulated yet." The vacation bench asked the petitioner to file the writ with a regular HC bench after the vacation. Supreme Court lawyer Eunus Ali Akond who filed the two writs said he will move the petitions with a regular HC bench once it reopens on August 31. In his petition over the broadcast policy filed on Monday, Enuus prayed to the court for considering the broadcast policy as illegal and unconstitutional. The petitioner sought a rule asking why the National Broadcast Policy should not be declared illegal and unconstitutional. He also sought another rule asking why the government should not be given a guideline about all sorts of broadcasts, including talk shows, on private and public TV channels. The petition sought to make the Cabinet Secretary and the Information Secretary respondents to the rule. In his writ petition, the petitioner mentioned that the National Broadcast Policy is contradictory to articles 11, 26, 27, 31 and 39 of the Constitution. On August 5, the Cabinet approved the 'National Broadcast Policy 2014' aiming to restrict the airing of programmes that satirise national ideals and objectives, undermine people, and harm unity and solidarity of Bangladesh as an independent state. On August 7, the Information Ministry issued the gazette notification on the National Broadcast Policy 2014 amid widespread criticisms by media professionals and some political parties. The other writ filed on July 20 challenged the government move to restore in the constitution the provision of parliament's authority to impeach SC judges. The writ sought HC directives on the authorities concern to explain why the proposal to restore the provision of parliament's authority to impeach judges through amendment to the constitution should not be declared illegal. The

petitioner also urged the court to stay all the activities relating to the amendment move. The petitioner said although the constitution has empowered the judges to work independently, they will not be able to do so if the authority to impeach them is given to parliament. "It goes against the spirit of separation of the judiciary from the executive," he said. Meanwhile, the Cabinet on Monday approved the draft of the 'Constitution (16th amendment) Bill, 2014' for restoring parliament's authority to impeach Supreme Court judges for their misconduct or incapability. In 1979, the constitution's fifth amendment, passed in parliament under Zia's regime, ratified and validated all constitutional changes, including the introduction of the judicial council. The Supreme Court later declared the Fifth Amendment illegal, but condoned the provision of the Supreme Judicial Council.