

The 16th July, 2023

Present:

**Justice Muhammad Khurshid Alam
Sarkar**

&

Justice Sardar Md. Rashed Jahangir

Mr. Md. Mainul Islam, Advocate
...For the Petitioner

Mr. Pratikar Chakma, DAG with
Mr. Humayun Kabir,
Ms. Farzana Rahman Shampa,
Ms. Shahla Sharafat Nazad (Shumi),
and
Ms. Afroza Nazneen Akther, AAGs
... For the respondents

After receiving the reply from the Chairman of the National Board of Revenue (respondent No. 5), this Court was not satisfied about the role played by the Chairman, National Board of Revenue (NBR) and the Commissioner of Customs in dealing with the issues raised in this petition. Because it is evident from the documents available before this Court and the explanations furnished by the Chairman, NBR that even if it is conceded that the petitioner having been failed to fulfill the requirement of submitting a lease-document from the Civil Aviation of Bangladesh (CAB) for obtaining the license, but since previously all the

licenses were issued without receiving the aforesaid piece of paper, now, the Chairman, NBR and the Commissioner of Customs have been under a duty to cancel the said licenses, which were issued in the past. But having not done so, the learned Deputy Attorney General today has come up with a simple piece of paper by which he is seeking to show that on 25th May, 2023 the Commissioner of Customs has issued notice to the existing license holders asking them to submit a lease-document for each of them obtained from the CAB within 15(fifteen) days with a warning that failing to submit the said document their User ID and Password shall be locked/stopped on 30th June, 2023.

Evidently the said 15(fifteen) days has been expired on 10th of July, 2023 and when the learned Deputy Attorney General was asked by this Court as to whether the User ID and Password have been stopped or not after expiry of 30th June, 2023, he could not answer.

Previously the learned Attorney General for Bangladesh appearing before this Court had assured that he shall advise the concerned State-Functionaries to resolve the issue of discrimination, as has been revealed following examining the records of all the existing license holders.

Under the circumstances, the learned Deputy Attorney General is directed to send this Order to the Chairman, NBR and Commissioner of Customs (CAB) directing them to take necessary steps to sort out this issue. The learned Deputy Attorney General also is directed to submit an affidavit confirming the communication by Fax and annexing their reply, if there is anything.