

IN THE SUPREME COURT OF BANGLADESH

HIGH COURT DIVISION

(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. 5883 of 2021.

IN THE MATTER OF:

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

AND

IN THE MATTER OF:

Public Interest Litigation (PIL).

AND

IN THE MATTER OF:

Inaction of the respondents to ban/block/remove all links/internet gateways of PUBG, Free Fire and all other similar online games and Tiktok, Bigo Live, Likee, and similar apps from online platforms.

AND

IN THE MATTER OF:

Direction upon respondents to ban/block/remove all links/internet gateways of PUBG, Free fire and all other similar online games and Tiktok, Bigo Live, Likee, and similar apps from online platforms.

AND

IN THE MATTER OF:

Direction upon the respondents No. 1-10 to form a monitoring and evaluation committee having necessary technical know-how and expertise for regular reviewing online games and apps and to make recommendations to the concerned authorities regarding suitable games/apps for internet users and to make recommendations of necessary measures to remove harmful

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online games and apps and to formulate a guideline for users of online games and apps in order to protect the public at large from the dangerous and destructive effects of online games and apps.

AND

IN THE MATTER OF:

Direction upon the respondents No. 9 and 10 ascertain the amount of money being transacted through Bkash, Nagad and other mobile banking means for paying PUBG, Free Fire, Likee, Bigo Live, Tiktok and similar online games and apps for realization of applicable VAT, Tax and other charges on the transacted amount of money by bringing the involved perpetrators under legal proceedings, and submit a report in this regard to this Honorable Court.

AND

IN THE MATTER OF:

Law and Life Foundation Trust 42/1/Ka, Segunbagicha, Jahan Plaza, 3rd Floor, Dhaka- 1000. Represented by its Coordinator Mohammed Kawsar, Barrister-at-Law and advocate, The Supreme Court of Bangladesh.

..... Petitioner.

-VERSUS-

1. Bangladesh, represented by the Secretary, Ministry of Post and Telecommunication Bangladesh Secretariat Secretariat Building Ramna, Dhaka.
2. Bangladesh Telecommunication Regulatory Commission (BTRC) IEB Bhaban (5, 6 & 7 floor), Ramna, Dhaka- 1000.
3. Secretary Ministry of Home Affairs Bangladesh Secretariat Secretariat Building Ramna, Dhaka.
4. Secretary Ministry of Education Bangladesh Secretariat Secretariat Building Ramna, Dhaka.
5. Secretary Ministry of Social Welfare Bangladesh Secretariat Secretariat Building Ramna, Dhaka.

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বাংলাদেশ
কোর্ট ফি

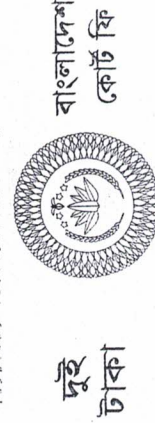


দুই
টাকা

6. Secretary Ministry of Information and Communication Technology
Bangladesh Secretariat Secretariat Building Ramna, Dhaka.
7. Secretary Ministry of Law and Parliamentary Affairs Bangladesh
Secretariat Secretariat Building Ramna, Dhaka.
8. Secretary Ministry of Health Bangladesh Secretariat Secretariat
Building Ramna, Dhaka.
9. National Board of Revenue, NBR Bhaban represented by its
Chairman, Segunbagicha, Dhaka.
10. The Governor, Bangladesh Bank, Bangladesh Bank Bhaban,
Motijheel C/A Dhaka.
11. Inspector General of Police Police Head Quarter, Dhaka.
12. Grameenphone Limited GP House Bashundhara, Baridhara Dhaka
1229.
13. Robi Axiata Limited 53, Gulshan South Avenue Gulshan 1, Dhaka.
14. Airtel Bangladesh Limited Tajwar Centre House No. 34, Road No.
19/A Banani, Dhaka.
15. Banglalink Limited Tigers Den House No. 4 SW. Mir Shawkat Sharak
Gulshan 1 Dhaka 1212.
16. Teletalk Bangladesh Limited House No. 41, Road No. 27 Block A
Banani, Dhaka 1213.
17. Bkash Ltd represented by its CEO of hadhinata Tower, 1, Bir Sreshtha
Shaheed Jahangir Gate, Dhaka Cantonment, Dhaka 1206.
18. Third Wave Technologies Limited (TWTL), operator of Nagad,
represented by its Managing Director of Delta Dahlia Tower (Level
13 and 14), 36 Kemal Ataturk Avenue, Banani, Dhaka- 1213.

.....Respondents.

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Present:

Mr. Justice Md. Mozibur Rahman Miah

And

Mr. Justice Md. Kamrul Hossain Mollah.

The 16th day of August, 2021

Mr. Mohammad Humaun Kabir, Advocate

...For the petitioner

Mr. Nawroz Md. Rasel Chowdhury, D.A.G with

Mr. MMG Sarwar, A.A.G,

Mr. Ashique Rubaiat, A.A.G and

Ms. Yeshita Parvin, A.A.G

...For the respondents

Heard the learned counsel for the petitioner and perused the writ petition. On going through the grounds couched in the writ petition in particular, ground no. I, II, III, VII and XI thereof, we find prima facie case for issuing Rule Nisi and that of interim order in the following term:

Let a Rule Nisi be issued calling upon the respondents to show cause as to why the inaction of the respondents to ban/block/remove all links/internet gateways of PUBG, Free Fire and all other similar online games and Tiktok, Bigo Live, Likee, and similar apps from online platforms of Bangladesh should not be declared to have been made without lawful authority and is of no legal effect and why the respondents should not be directed to ban/block/remove all links/internet gateways of PUBG, Free fire and all other similar online games and Tiktok, Bigo Live, Likee, and similar apps from online platforms of Bangladesh and further why the respondent nos. 1-10 should not be directed to form a monitoring and evaluation

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committee having necessary technical know-how and expertise for regular reviewing online games and apps and to make recommendations to the concerned authorities regarding suitable games/apps for internet users and to make recommendations of necessary measures to remove harmful online games and apps and to formulate a guideline for users of online games and apps in order to protect the public at large from the dangerous and destructive effects of online games and apps and also why the respondent nos. 9 and 10 should not be directed to ascertain the amount of money being transacted through Bkash, Nagad and other mobile banking or any other means for paying PUBG, Free Fire, Likee, Bigo Live, Tiktok and similar online games and apps for realization of applicable VAT, Tax and other charges on the transacted amount of money by bringing the involved perpetrators under legal proceedings 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.

Pending hearing of the Rule, the respondents are hereby directed to ban/block/remove all links/internet gateways of PUBG, Free Fire and all other similar online games for a period of 3(three) months from date.

The petitioner is directed to put in requisites for service of notices of the Rule upon the respondents in usual course and through registered post with acknowledgement due (AD) within 48(forty-eight) hours from date.

Md. Mozibur Rahman Miah.

Md. Kamrul Hossain Mollah.

Typed by: Altaf:22.08.2021.

Read by: 22.08.21

Exam by: 22.08.21

Readied by: 22.08.21

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22.08.21
মোঃ মোস্তাফিজুল হক ভূঞা
প্রশাসনিক কর্মকর্তা

22.08.21
মোঃ গোলাম মোস্তাফা ভূঞা
সুপারিনটেনডেন্ট

প্রত্যায়িত অধিকার প্রতিলিপি
22.08.21
সিনিয়র সিনিয়র জজ, অতিরিক্ত সিনিয়র
জজ, সিনিয়র জজ, সিনিয়র জজ (অতিরিক্ত)
সিনিয়র জজ (অতিরিক্ত) প্রভৃতি