

UNOs' role as CEO in Upazila Parishads illegal, unconstitutional: HC

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Online Desk: The High Court on Wednesday declared the section 33 of Upazila Parishad Act that allows Upazila Nirbahi Officers (UNOs) to perform duty as chief executive officers in upazila parishads illegal and contradictory to articles 59 and 60 of the constitution.

The High Court bench of Justice Farah Mahbub and Justice Ahmed Sohel pronounced the judgment after hearing two writ petitions. Barrister Azmalul Hossain KC, Barrister Hasan MS Azim and Md Minhadduzaman Liton stood for the writ petitioners.

Writing Upazila Administration instead of Upazila Parishad in invitation letters was also declared illegal by the court. "From now the UNOs have to provide secretarial help to the upazila parishad and remain accountable to the parishad," said HC in its observation.

However, the HC won't interfere in the role of committees formed by the upazila parishad under section 29 of the Upazila Parishad Act.

President of Upazila Parishad Association and Dumki upazila chairman Harun-or-Rashid, its general secretary Upazila Chairman Saiful Islam Khan Biru, Upazila Chairman Rina Parveen, Vice chairman Selim Ahmed and Vice Chairman Rasheda Akter filed a writ petition challenging the UNO's role. Advocate Minhadduzaman Liton also filed a writ petition in this regard.

In 2011, the High Court issued a rule asking the government to explain as to why the section 33 of Upazila Parishad Act should not be declared illegal and contradictory to the article 7, 59 and 60 of the constitution.

Fifteen secretaries including the secretaries to the Cabinet Division and Local Government, Rural Development and Cooperatives Ministry were made respondents to the rule.