

The Peoples' Republic of Bangladesh  
**Ministry of Home**

Notification  
Dhaka , 12 Magh, 1413 / 25 January, 2007

**S.R.O. no. 15-Ain/2007.-** The government formulates the following Rules as per the power given under section 3 of the Emergency Power Ordinance, 2007 (Ordinance No. 1/2007):-

**1. Title and Introduction.** - (1) This Rules shall be called the **Emergency Power Rules, 2007.**

(2) This Rules shall be deemed to be valid from 12 January 2007, 29 *Poush* 1413

**2. Definition.-** Unless opposed to the subject and context, in this Rules—

(A). **“Law and Order Enforcing Agency”** means the members of the Police, Armed Police Battalion, Rapid Action Battalion, Ansar, Battalion Ansar, Bangladesh Rifles, Coast Guard, National Defence Security, DGFI and Armed Forces of Bangladesh;

[(AA). **“Commission Executive”** means any lower-rank executive empowered by the Anti-Corruption Commission, established under Anti-Corruption Commission Act, 2004 (5<sup>th</sup> act of 2004);]

(B). **“Penalty”** means any punishment under this rule;

(C). **“Person”** means a company, an association, a joint-stock business, statutory organization or others institutes;

(D). **“Code of Criminal Procedure”** means that of 1898 (Act V of 1898);

(E). **“The Government”**, in respect to any general or special order, means all the ministries and departments of the government whose area of responsibility includes the subject matter or the area of the order as per the

Allocation of Business Among the different Ministries and Divisions (Schedule 1 of the Rules of Business, 1996).

**3. Prohibition of procession and meetings.-** (1) To safeguard the security and interest of the state and the people and to maintain mass discipline during the state of emergency, holding any type of processions, meetings, protests or taking part thereof in whole country or at any part of it is strictly prohibited under the Sub-rules (2) and (3) of the rule.

(a) Meetings of political parties are permitted only in the Dhaka Metropolitan area;

(b) The decision of a political party to hold a meeting must be informed by the party to the Metropolitan Police Commissioner, Dhaka at least twenty four hours before the meeting;

(c) Not exceeding 50 (fifty) members of the concerned party can attend the meeting;

(d) Permission from the Ministry of Home is necessary at least forty eight hours prior to hold a meeting with participation of more than 50 (fifty) members;

(e) The meeting is to be held in the head office of the party, the residence of any member of the party or the indoor atmosphere of a community center, hotel or restaurant in the metropolitan area;

(f) Such meeting is not permitted in the open field or under a shroud in the open field;

(g) No agenda for discussion and decision making is permitted other than the party organization and the national election;

(h) No one but the party members is allowed to participate in the meeting;

(i) The reporters of news agencies are allowed to be present to collect news;

(j) Live broadcast of the meeting programs is not allowed, but the news footage and coverage can be broadcast as the part of regular news;

(k) No mechanism for audio-amplification can be used to make the sound audible to the outside people.

Explanation: To accomplish the objective of this notification “Political Party” will mean a faction thereof as well.

(2) In spite of Sub-rule (1), arranging processions, meetings and celebrations and taking part thereof is permitted for religious, social, state or government programs.

(3) If any ambiguity or confusion arises regarding the provision of holding processions, meetings and celebrations and taking part thereof, it is permitted to hold processions, meetings and celebrations and take part thereof with the permission of the district magistrate or police commissioners in metropolitan areas.

(4) Any person violating this provision will be subject to imprisonment for a period not exceeding five years and not less than two years and monetary penalties as well.

**4. Prohibition of hartal, strike, lockouts etc.-** (1) To safeguard the security and interest of the state and the people and to maintain mass discipline and peace and to ensure proper flow of essentials and service for social life, holding hartal, gherao, seizure, strike, lockout and trade union activities all over the country or in any part thereof during the state of emergency is strictly prohibited.

(2) To safeguard the security and interest of the state and the people and to maintain mass discipline and peace, student and teacher politics, politics of the public servants and that of professional bodies are prohibited during the state of emergency.

(3) A person violating section (1) or (2) of this rule will be subject to rigorous imprisonment for a period not exceeding five years and not less than two years and monetary penalties as well.

**5. Control over broadcasting some news, picture.-** (1) To safeguard the security and interest of the state and the people and to maintain peace, the

government, with general or special order, may prohibit or control applying conditions as per requirement of the situation the news or information related to any meeting, procession, seizure, agitation, oration, briefing or destructive or provocative activities; and any airing, publication or broadcasting of news, editorial, subeditorial, article, feature, caricature, cartoon, talk-show or discussion session or any still photograph thereof in the print or electronic media and internet or any other mass media.

(2) During the state of emergency, wall writing is prohibited all over the country; and the local government authority and the institutions are liable to wipe away the wall writings from the concerned area.

(3) If any news or information described in sub-rule (1) is promulgated violating the government order, the government may seize the source thereof like the press or electronic equipment used in the publication or broadcasting of the newspaper, book, manuscript or certificates and the concerned person will be subject to rigorous imprisonment for a period not exceeding five years and not less than two years and monetary penalties as well.

**6. Prohibition of politically purposeful, provocative speech and activities.-** (1) With this Rules promulgated to safeguard the security and interest of the state and the people and to maintain mass discipline and peace, the government prohibits provocative oratory against the government and any of its activities; putting up any obstructions against its activities; printing, furnishing and showing of caricature or cartoon on the government or any of its activities or any of its person; and making and setting fire to any types of statuettes.

(2) A person violating the provisions of this rule will be subject to rigorous imprisonment for a period not exceeding five years and not less than two years and monetary penalties as well.

**7. Getting information etc.-** (1) If it is deemed expedient to procure and test any information or substance in order to safeguard the security and interest of the state and the people, the government can order a person having possession thereof to furnish or submit the same to the person or institute specified by the order.

(2) If a person refrains from furnishing or submitting the information or substance according to the order given under this rule, or deliberately

conveys false information, he will be subject to rigorous imprisonment for a period not exceeding five years and not less than two years and monetary penalties as well.

**8. Trying to violate the Rules etc.-** (1) If a person tries to violate or helps or influences others to violate any provision of the Rules or any order given under the provisions, he will be deemed to have violated the provision or the order.

(2) A person violating the provisions of this rule will be subject to rigorous imprisonment for a period not exceeding five years and not less than two years and monetary penalties as well.

**9. Indictment of statutory organizations etc.-** If a statutory organization, company or firm transgresses any provision of this rule or any order given under that, the director, owner, partner, manager, secretary or any other executive or agent thereof will be deemed to have violated the provision or the order unless he can prove that he has tried his best to resist the violation.

**10. Trial, cognizability, non-compoundability, and non-bailability.-**  
(1) Whatever may be in other acts or Rules, crimes under this Rule will be adjudicated by the Speedy Trial Court, Speedy Trial Tribunal, Metropolitan Magistrate or first class magistrate.

(2) Crimes committed under this Rules will be cognizable, non-compoundable, and non-bailable

**11. Appeal etc.-** (1) If a person is aggrieved by the verdict given by a court under this Rules, he can appeal to an appropriate court having such jurisdiction, within thirty days of the verdict:

given that, the time required to get the certified copy of the verdict is to be deducted from this period.

(2) If an appeal is lodged under sub-rule (1), it must be settled within 90 (ninety) days of the lodgment.

(3) If a person penalized in a corruption allegation places appeal against it, the appeal court cannot free him on bail, or cannot stay the verdict of the lower court or effectiveness of it while the appeal proceeding is in progress.

(4) The order of siege, croak or forfeiture against the cash or cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets owned or reserved in the name of the penalized person or any other person on his behalf will remain valid until the appeal is finally settled.

(5) If a person penalized in a case under this rule appeals against it, the penalized person can not participate in the national parliamentary election and in the local government elections as well.

(6) A person penalized in a case under this rule will, after he is freed the punishment being over, not be eligible to hold a position in any government, semi-government, statutory organization or any other institute related to the government.

**12. Application of the Code Of Criminal Procedure etc.** - (1) Unless otherwise stated in this Rules, the provisions of the Code of Criminal Procedure will be applicable to the filing of a case or first information recording, investigation, pre-trial procedures, trial and settlement of an appeal under this Rules.

(2) Despite the provision under Sub-rule (1), if there are special provisions for the investigation and trial of the crimes described under Rules 14 and 15 or other acts mentioned thereby, the investigation and trial of that is to be conducted according to those special provisions.

**13. Confinement of parcel, wireless etc.** - To safeguard the security and interest of the state and the people and to maintain discipline and peace and to ensure proper flow of essentials and service for social life, the government, with general or special order,--

(A) can empower any officer or authority to confine any material or a class of material sent or consigned to be sent through post, to unwrap and test it and to seize it if it is detrimental to the security of the state and the people or subversive of mass discipline, or to postpone its delivery;

(B) can empower any officer or authority to confine any message or news or a class of message or news transmitted or consigned to be transmitted by any person or institute or any class of persons or institutes through post, wireless, telegram, telex, fax or telephone; or to postpone or hamper its delivery or transmission.

**14. Confinement of parcel, wireless etc.** - To safeguard the security and interest of the state and the people and to maintain discipline and peace, the law and order forces will play an active role in applying the Penal Code (Act XLV of 1860), Arms Act, 1878 (Act XI of 1878), Explosive Substances Act, 1908 (Act VI of 1908), Foreign Exchange Regulation Act, 1947 (Act VII of 1947), Special Powers Act, 1974 (Act XIV of 1974), Narcotics Control Act, 1990 (Act XX of 1990) and special other acts in restraining illegal arms, explosive substances, sabotage, hoarding, adulteration in drugs and food stuff, counterfeiting money and government stamps, black marketing, smuggling, narcotics and other crimes subversive of the security and economic life of the state and the people.

**15. Provisions related to corruption.** – During the state of emergency, to effectively restrain the crimes related to income tax, corruption and money laundering, law and order forces or the commission executive will take apt initiatives to unearth or probe into crimes, file accusation or case and, if required, arrest and handover the criminals to the legitimate authority for investigation and trial under Anti Corruption Act, 2004 (Act 5 of 2004), Money Laundering Prevention Act, 2002 (Act 7 of 2002) and Income Tax Ordinance, 1984 (Ordinance XXXVI of 1984) deemed to suppress the crimes perturbing the economic life, interest and security of the state and the people.

**15A. Injunction of freezing or croak of money, movable or immovable assets etc during the proceedings or trial of corruption crimes.** – (1) If a case is filed against a person for involvement in corruption under provision 15 or in accusation of being financially benefited by streaming work bids toward his own name or to any other person or organization by tenders or through misuse of power in any government, semi-government, autonomous or government controlled organization; or if the person is arrested for the sake of the legal procedure; and if the cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets reserved in his own name or in the name of any other person on his behalf, in any bank or other financial

institutes either in the country or abroad is susceptible of being confiscated in favor of the state on the basis of the verdict of the trial, the first class magistrate, or in cases, the metropolitan magistrate, in any stage of the proceedings, can order freezing or croak of such cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets in response to the application of the commission executive or other investigation officers.

(2) The cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets freezed or croaked under sub-rule (1) can not be sold or negotiated; and such sale or negotiation will be void and invalid.

**15B. Blockade or croak injunction against money, movable or immovable assets before starting legal procedure or trial of corruption crimes.** — (1) Whatever may be in provision 15A or other valid acts or any provision promulgated under it, regarding any corruption under provision 15, if the commission executive or the concerned officer legitimately believes that, being dishonestly motivated, a person can sell or otherwise negotiate, before a corruption allegation or case is formally filed against him, any cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets owned and reserved in his own name or in the name of any other person on his behalf, the commission executive or the concerned officer can appeal, before he can formally file a case or allegation against the person, to the first class magistrate or, where applicable, metropolitan magistrate to effect a order against that cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets.

(2) In response to an appeal under sub-rule (1), the first class magistrate or, where applicable, metropolitan magistrate can promulgate an injunction to freeze or croak the cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets.

(3) If an allegation or a case is filed after the injunction of freeze or croak is made under sub-rule (2), the injunction will remain valid until the settlement of the case.

(4) If an injunction of freeze or croak under sub-rules (2), is made fully or partially against a factory, industrial establishment, bank, financial



institution, or a commercial organization, if the government (the commission executive or the concerned officer) thinks necessary, can employ an administrator, with the permission from a first class magistrate, metropolitan magistrate or any other relevant court, to ensure that the usual operation of the factory, industrial establishment, bank, financial institution, or commercial organization is not hampered.

(5) If no case is formally filed within 60 (sixty) days after the injunction of freeze or croak is made under sub-rule (2), the term of the injunction can be extended for the next 30 (thirty) days with the approval of the first class magistrate or, where applicable, metropolitan magistrate but after the expiry of that period, the injunction of freeze or croak will automatically turn invalid.

**15C. Time limit of investigation.** — (1) The investigation of an allegation against a person arrested or confined by the law and order forces under provision 15 for involvement in corruption, money laundering, income tax or other crimes under this Rules will be carried out by the investigation officer (investigation officer or any other concerned officer) employed by the government for this purpose and the investigation officer will complete the investigation within 30 (thirty) days after being charged.

(2) The investigation officer failing to complete the investigation within the 30 (thirty) days stipulated under sub-rule (1), will complete the investigation within the next 15 (fifteen) days by showing the proper reason in writing and taking prior permission from the higher authority.

(3) The investigation officer failing to complete the investigation within the 15 (fifteen) days extended under Sub-rule (2), will complete the investigation within the next 15 (fifteen) days taking prior permission from the higher authority next to that mentioned in Sub-rule (2).

(4) If the investigation is not completed within the period stipulated under this provision, the concerned officer along with all other officers helping him will be considered as failing to perform their duty, and for this reason, punitive actions are to be taken against them all as per the concerned service-Rules of the department.

**15D. Authority to order the submission of the statement of movable or immovable properties.** — (1) During the investigation under provision

15, if the law and order enforcing agency or the investigating officer or the commission executive is, upon necessary investigation based on information, satisfied that a person or any other person on his behalf is in possession or ownership of assets inconsistent to valid sources, the officer can order in writing to the person to submit the statement of all movable and immovable assets in his possession or ownership and necessary other statements; on such order, the person is bound to convey the information.

(2) If a person, according to an order under sub-rule (1), does not submit the required information to the ordering authority being present himself within 72 (seventy two) hours from the order is given, or, in corruption cases, if the appropriate authority legitimately believes that he is deliberately refraining from submitting the information, the ordering authority or officer or the commission executive or any other officer under sub-rule (1) can appeal to first class officer or, where applicable, to the metropolitan magistrate to freeze or croak the cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets owned and reserved in his own name or in the name of any other person on his behalf.

(3) In response to an appeal under sub-rule (2), the first class magistrate or, where applicable, metropolitan magistrate can promulgate an injunction to freeze or croak the cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets.

(4) The government or any officer empowered by the government for this purpose or commission executive or any other concerned officer, on permission from appropriate court, can sell in open bid the cash, cashable bonds, securities, share certificates and such other certificates or instruments or movable or immovable assets freed or croaked under sub-rule (3).

(5) If a person, being ordered under this provision, does not submit the written information accordingly or submits any written information that can reasonably be considered to be fake or baseless or submits any book, record, declaration, return, or certificates that can reasonably be considered to be fake or baseless, he will be subject to rigorous imprisonment for a period not exceeding 5 (five) years and not less than 3 (three) years or monetary penalties or both and in addition, his movable or immovable assets will be confiscated in favor of the government.

**16. Appointment of different law and order forces to help civil administration.-** (1) The government can employ different law and order forces beside police to help the civil administration during the state of emergency.

(2) Members of different law and order forces employed under sub-rule (1) will have the same level of power regarding raid and arrest as the police officers enjoy under the Code of Criminal Procedure; and any member of the law and order forces on duty can arrest without warrant and take legal actions against any person found to be committing any crime under this Rules or any other valid act, or any person legitimately suspected to be involved in such crimes.

(3) Members of different law and order forces will strictly follow the provisions of the Code of Criminal Procedure in executing a raid under sub-rule (2).

**17. Authority to direct an eviction campaign.-** The government, if required, can order the law and order forces to take befitting legal actions to evict the individuals or institutions encroaching government lands, buildings, streets, waterways, roads, open terraces, play grounds, factories or other establishments or any other immovable assets during the state of emergency.

**18. Provision regarding trial of serious crimes.-** If the government considers a crime under provisions 14 or 15 of this Rules or any other valid act to be so serious, the government can transfer a related case at any stage of its trial proceedings from a session judge court, special court, magistrate court or special tribunal to the Speedy Trial Tribunal according to provision (6) of the Speedy Tribunal Act, 2002 (Act 28 of 2002) during the state of emergency.

(2) After a case under sub-rule (1) is transferred to the Speedy Trial Tribunal, the later proceedings are to be conducted according to the provisions of the Speedy Tribunal Act, 2002 (Act 28 of 2002) subject to the provisions of this Rule.

**18A. Special provision regarding transfer or case.-** (1) Whatever contradiction may be in this Rules or in any other acts in force, during the state of emergency the government can, by notifying the Anti Corruption

Commission or, if required to safeguard public interest, in government gazette, transfer a case filed under any act mentioned in provisions 14 or 15 of this Rules at any stage of its trial proceedings from a session judge court, magistrate court, special judge court or special tribunal, situated at any part of the state, to the court of a special judge employed under Criminal Law Amendment Act, 1958.

(2) After a case under sub-rule (1) is transferred to the court of a special judge, the later proceedings are to be conducted according to the provisions of the Criminal Law Amendment Act, 1958 subject to the provisions of this Rule.

(3) Under sub-rule (1)—

(A) a case will proceed under the special judge's court from the stage it is transferred there;

(B) the witness and evidence recorded in a court which they are transferred from, will be considered as recorded in the special judge's court and unless required for ensuring justice, those witness and evidence will not be recorded again;

(C) the time spent to transfer a case will be deducted from the period specified in provision 19A.

**18B. Provision regarding trial under special judge's court.-** (1) Whatever contradiction may be in this Rules or in any other acts in force, during the state of emergency, any crime under any act mentioned in provision 14, which is approved under provision 19J, and any crime under any act mentioned in provision 15, can be settled under any special judge's court, employed under Criminal Law Amendment Act, 1958.

(2) Any judge is eligible to judge over any case filed for trial in a special judge's court under sub-rule (1) and the whole Bangladesh will be the territory of jurisdiction for his court.

(3) If any case under sub-rule (1) is received for trial in special judge's court, the trial proceedings of that case will be conducted according to the provisions of the Criminal Law Amendment Act, 1958 subject to the provisions of this Rule.

**19. Provisions With Regard to Crimes Under this Rules:** Until the Emergency is in effect, trial and investigation of those crimes under this Rules and punishable not more than 5 years of rigorous imprisonment, will be carried on according to the Speedy Trial Act 2002 (Act 11 of 2002) in a way as if the crime is exactly what is embodied in section 2 (b) of the Act and will be tried under the section 9 of the Act.

**19A. Duration of Case Disposal-** (1) Notwithstanding whatever is stated in any law in force at present, in the period of enforcement of the declaration of the state of emergency, any case filed under the provisions of this Rules or under provisions 14 and 15 is to be settled within 45 (forty five) days from the date of commencement of trial in any court or tribunal.

(2) If the settlement of the case appears impossible due to some unavoidable reason, the court or tribunal, by notifying the reason, can settle the dispute within the next 30 (thirty) days and will inform the Supreme Court about the time extension in writing and send a copy thereof to the government.

(3) If the settlement of the case becomes impossible within the period mentioned in sub-rule (2) due to some legitimate reason, the court or tribunal, by notifying the reason, can take even 15 (fifteen) days further to settle the dispute and will inform the Supreme Court in writing about the time extension and send a copy thereof to the government.

**19B. Adjournment of trial-** (1) If the trial of a case filed under any provision mentioned in this Rules or provisions 14 and 15 starts in any court or tribunal in the period of enforcement of the declaration of the state of emergency, it will continue uninterruptedly until settlement, but if the court or tribunal is satisfied by the appeal from any concerned party that the trial should be adjourned for the sake of justice, it can do so for not exceeding 3 (three) days.

(2) Under the sub-rule (1), the court or tribunal will not adjourn the trial of a case in such a manner that the trial of the case stands impossible within the period stipulated under the provision 19(A).

**19C. Accountability of courts, tribunals etc.-** In the case of non-settlement of a dispute within the period stipulated under the provision 19(A), the

accountability of the court or tribunal, the public prosecutor, the law and order enforcing agency, the commission official under provision 15, the concerned police officer or any person related to the trial will be ensured by applying the provision 15 of the Speedy Tribunal Act, 2002 (Act No. 28 of 2002) with necessary adaptation.

**19D. Rules related to bail.-** In the period of enforcement of the declaration of state of emergency, the accused can not appeal for bail to any court or tribunal during the inquiry, investigation and trial under any act mentioned in this provision or provisions 14 and 15, whatsoever may be stated in the provision 497 and 498 of Code of Criminal Procedure or in any other Act;

Provided that in the case where the principle accused is accompanied by some other co-accused like his wife, offspring under age of 18, bachelor daughter, mother, mother in law or sister, the court or the tribunal, having recorded the appropriate reason, can consider bail in response to an application on behalf of the co-accused.

**19E. The nature of the order of the courts or tribunals.-** In the period of enforcement of the declaration of the state of emergency, it is not permitted to ask for any remedy or to dispute any injunction, except the final verdict, in any higher court or tribunal during probe, case filing or First Information Recording, investigation, pre trial procedures or during the trial under any act mentioned in this provision or provision 14 and 15.

**19F. Verification of income tax certificates etc.-** during investigation of corruption cases and placing it as evidence.- (1) In the period of enforcement of the declaration of state of emergency, the investigating officer, in investigating into the corruption cases, can inspect, examine and seize income tax certificates and other tax certificates, bank account or other accounts in other financial or other types of associations or institutions for the sake of investigation, if necessary, taking permission from Anti-Corruption Commission, National Board of Revenue, ministry of home, Bangladesh Bank or related other organizations, notwithstanding anything stated in the Income Tax Ordinance, 1984 (Ord. No. XXXVI of 1984) or any other Acts.

(2) If the certificates mentioned in sub-rule (1) are to be presented as evidence, the court or tribunal can ask for that and that are admissible as evidence.

**19G. Witness-value of pictures recorded in camera etc.-** Under the state of emergency, during the trial of any case under any act mentioned in this provision or provisions 14 and 15, any moving or still picture of the crime scene or related other photograph, tape, disk, information or any other related element captured by law and order forces, commission executive, or any other person so empowered under this rule is admissible as evidence given that depending upon that evidence only the court or the tribunal can penalize the accused .

**19H. Witness of experts etc.-** During the trial of any case under any act mentioned in this provision or provisions 14 and 15, if the court requires the witness of some forensic expert, chirographer, chirologist, ammunitions expert, bank account auditor, income tax auditor or other expert who has previously examined the things and submitted a report to the authority but now it is not feasible to place him before the court because either he is dead, or he is incapable of being an witness, or he is missing or the cost, effort and difficulty exceeds the expected level, his signed report is admissible as evidence, provided that depending upon only that evidence the court or the tribunal cannot penalize the accused .

**19 I. Trial in absence of the witness.-** (1) During the state of emergency, if the accused is mentioned as absconding in the report of investigation of any crime filed under any act mentioned in this Rules or Rules 14 and 15, and if the court or the tribunal reasonably believes that the accused person is deliberately hiding to escape arrest and facing trial, the court or the tribunal will attach one notice in an easily visible place of the court building or the tribunal and one in the last residence or office of the accused specifying the time limit, not exceeding three days, and order the accused to attend the court within that time and if he fails to do so in the stipulated time, the court or the tribunal will continue trial in his absence.

(2) A notice served under the sub-rule (1) is considered to be served individually on the accused.

**19J. Special provision regarding the application of the Rules.-** (1) Whatever may be in other Acts or in this Rules , if the provisions of this Rules if to be applicable to the investigation, trial, appeal, bailment and such other related affairs, an approval is to be taken from the government or other authority.

(2) The government or other authority, by a written general or special injunction, can designate a subordinate officer the power of approval under sub-rule (1).

(3) In an approval given under sub-rule (1), a statement must mention “Provisions under Emergency Power Rules, 2007 is to be applied”

(4) In giving approval under sub-rule (1) and (2), the approving officer must ascertain the impact of the crime on the people.

(5) Under the provision of rule 14—

(a) Starting from the date of validation of this Rules up to March 20, 2007 and

(b) From 21 March, 2007 onward up to the gazette notification of this Rules, under Sections 161, 162, 163, 385, 386, 387, 401, 406, 408, 409, 420, 423, 467, 468, 471, 477 of Penal Code (Act XLV of 1860) and filed under other acts mentioned in rule 14

any case, within ten days of the gazette notification of this Rules, can be admissible retrospectively under the sub rule (1).

(6) If not approved under sub-rule (5), after the expiry of the period stipulated under the sub-rule, no provisions of this Rules including the provisions of 19D regarding bail shall be applicable in any trial under the sub-rule.

**20. Use of force in implementing order.-** To implement any order under this rule, any police officer or any member of the law and order force authorized or charged for this may take any necessary step including the use of force.

**21. Provision related to preventive warrant of arrest.-** Under the state of emergency, if it legitimately appears satisfactory or believable that a person has committed or may commit an offence under any act mentioned in this rule or Rules 14 and 15, provisions related to the preventive warrant of arrest under Special Power Act, 1974 (Act XIV of 1974) may be applied against that person.



**21 A. Special administrative initiative in applying emergency power.-** (1) The government, by notification in the gazette, can launch any type of administrative initiative to arrange for coordinated support in the investigation, probe, trial, or any other dealings under this Rules.

(2) If any committee or authority is formed under any administrative arrangement initiated by the gazette notification under sub-rule (1), such committee, its members or the authority or the persons empowered by the authority with their duty, responsibility and domain of control is to be specified.

(3) “National Coordination Committee” formed by the memorandum no MPB/K: B: S:/Adviser Council 4/2007/36 of the committee branch of the cabinet division, which was published in the additional issue of Bangladesh gazette dated March 8, 2007/Falgun 24, 1413 will be considered to have been formed under this Rules.

**22. Validity period of order.-** Any general or special injunction stated under this rule will, unless the validity period is specified therewith, remain valid in the period of the state of emergency.

**23. Explanation of the Rules.-** The General Clauses Act, 1897 (Act X of 1897) will be so applicable in explaining this Rules, the way it is applicable in explaining any Act of Parliament.