# DHAKA UNIVERSITY LAW JOURNAL

*The Dhaka University Studies Part-F*

Volume 18 Number 1 June 2007



**Editor**
**Professor Dr. Borhan Uddin Khan**
Dean
Faculty of Law
University of Dhaka.

**Editorial Board**

**Mr. Liaquat Ali Siddiqui**
Professor of Law
University of Dhaka

**Dr. Taslima Monsoor**
Professor of Law
University of Dhaka

**Dr. Sumaiya Khair**
Professor of Law
University of Dhaka

**Dr. Shahnaz Huda**
Professor of Law
University of Dhaka

**Dr. Naima Huq**
Professor of Law
University of Dhaka

**Dr. Md. Nazrul Islam**
Professor of Law
University of Dhaka

# Submission

*Dhaka University Law Journal* is interested in original contributions on contemporary or jurisprudentially important legal issues from scholars and professionals. This is a peer-reviewed journal, and papers and critical essays are published only after the author(s) has/have resubmitted the paper in compliance with reviewers' suggestions and recommendations, if there be any.

Two copies of manuscripts should be sent to the correspondence address, and a copy must also be submitted by email attachment to: <lawfac@bangla.net>. A covering-letter giving a short biographical note on the author(s) along with a declaration as to the originality of the work and the non-submission thereof to anywhere else must accompany the manuscripts.

Standard articles written on one side of good quality A4-sized papers, double spaced with wide margins, should be of 8,000-10,000 words including footnotes. The contributions must be in journal style outlined below.

**References, footnotes and layout**

The text must contain appropriate headings, subheadings and authoritative footnotes. The footnotes should be numbered consecutively and typed single spaced at the bottom of each relevant page. Citations conform generally to a Uniform System of Citation. Thus the style should be as follows:

**Journal article: Single author**

Baxi, Upendra. 1969. "Directive Principles and Sociology of Indian Law", Vol. 1, No. 3 *Journal of the Indian Law Institute*, pp. 245-72, at p. 70. [Here, the relevant reference is to p. 70 of the work which appears on pp. 245-72 of the journal].

**Journal article: Multiple authors**

Yoo, John C. and Saikrishna B. Prakash. 2003. "The Origins of Judicial Review", Vol. 70 *University of Chicago Law Review*, pp. 887-982, at pp. 889-90.

**Book: Single author**

Baxi, Upendra. 1985. *Courage, Craft and Contention: The Indian Supreme Court in the Eighties.* Bombay: N. M. Tripathi, at p. 101.

De Cruz, Peter. 2006. *Comparative Law in a Changing World.* 3rd edn. London and Sydney: Cavendish, chapter 6. [Here, a broad reference is made to chapter 6 of the book].

**Book: Multiple authors**

Menski, Werner, Ahmed R. Alam and Mehreen K. Raza. 2000. *Public Interest Litigation in Pakistan.* London and Karachi: Platinium and Pakistan Law House, at p. 102.

**Book: Edited**

Alauddin, M. and S. Hasan (eds.). 1999. *Development, Governance and the Environment in South Asia: A Focus on Bangladesh.* London: Macmillan.

**Chapter in a book**

Baxi, Upendra. 1987a. "Taking Suffering Seriously: Social Action Litigation in the Supreme Court of India", in Tiruchelvam, N. and R. Coomaraswamy (eds.): *The Role of the Judiciary in Plural Societies.* London: Francis Printer, pp. 32-59, at pp. 33-4. [Here, 1987a denotes the author's first work in the same year of 1987].

**Book: Corporate author / institute**

REDRESS. 2004. *Torture in Bangladesh: 1971-2004*. London: REDRESS.

**Thesis**

Ahmed, Naim. 1998. *Litigating in the Name of the People: Stresses and Strains of the Development of Public Interest Litigation in Bangladesh*. London: SOAS. (Unpublished PhD thesis).

**Website references**

Alam, M Shah. 2006. 'Reviewing Our Legal Education', available at: <http:// www.thedailystar.net/law/2006/12/01/index.htm>, last accessed on 12 June 2007.

**Cases**

*A (FC) v Secretary of State for the Home Department* [2004] UKHL 56.

*A. D. M., Jabalpur v Shivakant Shukla* AIR 1976 SC 11207.

*A. T. Mridha v The State* (1973) 25 DLR (HCD) 335, 339 [Here, the case is reported on p. 335, and the quotation/reference drawn from is on p. 339].

Abbreviations should be written out in full when they appear first in the text or form the first word in a sentence. Leave out full stops in abbreviations made up of capitals as, for example, SEC, HCD, and JATI.

For the immediate past citation but with reference to a different page, *ibid.,* at p. 34 / *Ibid.,* at p. 34 should be used. For the same, immediate past reference, *Id./id.* should be used. For cross references use, for example: See above/below note 5, at p. 35; See further Baxi (1987a), above note 37; For details, see section/part 3/III below.

Published by the Registrar, University of Dhaka, and printed by Chhoyan Advertising & Printing, 47, Aziz Super Market, Shahbag, Dhaka-1000, Phone: 8624376.

**Subscriptions**

The Faculty of Law publishes *Dhaka University Law Journal* (The Dhaka University Studies Part F) twice a year. The subscription rates for individuals for a single issue are Taka 75 (domestic) and $15 (international). Institutional subscriptions for a single issue are Taka 100 (domestic) and $20 (international). Postal costs will be charged separately.

Manuscripts and editorial correspondence should be addressed to:

**The Editor**
*Dhaka University Law Journal* (The Dhaka University Studies, Part-F)
**Room No. 110, Kazi Motahar Hossain Bhaban**
Faculty of Law
University of Dhaka
Dhaka-1000, Bangladesh
Tel: 8613724, 9661920-73/4348/4349
Fax: 8613724
e-mail: lawfac@bangla.net

# DHAKA UNIVERSITY LAW JOURNAL

Volume 18 Number 1 June 2007

## *Contents*

Amenability of a President to Judicial Process and Executive Privilege 1
**Mohammed Abdur Rouf**

Interrelationship of Genetics and Criminal Behaviour :
Challenges for Judges and Lawyers 21
**Sheikh Hafizur Rahman Karzon**

Development, Nature and Modus Operandi of International
Trade Law : An Overview 43
**Mohammad Towhidul Islam**

Jurisdiction of Administrative Tribunals in Bangladesh :
An Analysis and Evaluation 79
**S.M. Hassan Talukder**

Judicial Agency to Achieve Good Governance in Bangladesh :
An Analysis 91
**Ridwanul Hoque**

Protection of Refugees in Bangladesh :
Towards a Comprehensive Legal Regime 109
**Mostafa Mahmud Naser & Tanzim Afroz**

Plea Bargain : An Overview of the Practices of Alternative Criminal Trial
and Its Prospects in The criminal Justice Administration of Bangladesh 131
**Monjur Kader**

## CONTRIBUTORS

**Mohammed Abdur Rouf**
Professor, Dept. of Law, Dhaka University

**Sheikh Hafizur Rahman Karzon**
Assistant Professor, Dept. of Law, Dhaka University

**Mohammad Towhidul Islam**
Assistant Professor, Dept. of Law, Dhaka University

**S.M. Hassan Talukder**
Assistant Professor, Dept. of Law, Dhaka University

**Ridwanul Hoque**
Assistant Professor, Dept. of Law, University of Chittagong

**Mostafa Mahmud Naser & Tanzim Afroz**
Assistant Professor, Dept. of Law, University of Chittagong
&
Lecturer, Department of Law, Northern University

**Monjur Kader**
Lecturer, Eastern University