
Capricious Infringements of Students' Rights at Educational Institutions in Bangladesh

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Abstract

Students are the future leader of a country who need a free and favourable environment for their study. Bangladesh is a developing and Muslim majority country having a prejudicial atmosphere in the social structure. There are also people from different religions and people of all religions and classes respect a teacher as a builder of a nation. These social engineers have been involving in some crimes known as White Collar Crimes polluting their professions. Infringement of student's right by a teacher is a common phenomenon in our country but it remains dormant as nobody discloses this fact and claim Justice. The study has tried to show what is white collar crime; American sociologist Edwin Hardin Sutherland's view regarding white collar crimes; Who are teachers, what are their duties, what are their characters; trust of parents to a teacher; how they have been violating their duties; what types of crimes they are committing; Either there is any law in our country regarding the teaching system or not; International perspective of law relating to teaching profession; opinion of some famous teachers and persons of the country and after all, what types of actions can be taken for preventing the crime in teaching profession in Bangladesh.

Key words: Teachers, Rights of Students, White Collar Crimes, Educational Institutions, Infringements of Rights.

Introduction

In our country along with the population growth offences are increasing rapidly. Some crimes are observed by us and there are also some offences which remains latent of our vision. Some offences are committed by people of lower classes and some offences are committed by the people of upper classes. White Collar Crime is such types of crimes which are committed by the people of upper classes and remain hidden from the eyes of the law and also remain hidden from the eyes of society. White Collar Crime has been used frequently to indicate the practice of corruption and

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dishonesty by intellectual persons. White Collar Crime in teaching profession is increasing day by day in our country. In a society general people consider the teachers as a symbol of idol who can never commit any *actus reus*. So, they entrust the teacher for institutional education and academic knowledge of their offspring. There is a saying relating to teaching that teacher is the architect of a nation but unfortunately that architect often breaches the trust of common people which is very much disappointing. For the unfair and partial acts of a teacher endanger the academic career and future of students. So for the sake of the nation we have to catch them red handed and bring before the legal proceedings who are abusing their students by using the noble profession. As the teacher is the architect of a nation and if that architect is immoral, then it will be a great problem for the nation. So to build up a prudent nation we have to prevent criminality from teaching profession. In our country people are not acquainted with the crimes committed in educational institutions. The social structure of Bangladesh has failed to protect the student and punish the offenders. So, we have to formulate a separate segment of law related to crimes in teaching profession to eradicate irregularities occurred in educational institutions. Our government should take necessary steps to prevent white collar crime in teaching profession.

Methodology of the Study

The study has followed mainly the analytical approach to describe the present status of the society. It also followed the socio-legal approach considering the research questions. This research has approached two way of primary data collections. First one is direct interview which known as qualitative primary data. Interviews were conducted with faculty members, lawyers and judges. The study has also collected information from case study and structured questionnaire which is called quantitative primary data from the students. The secondary data have been collected from domestic legislations, books, research papers, judicial precedents, journals, reports, and newspaper etc.

Objectives of the Study

Every work has its own objectives. Objectives of any work lead it to the desired goal. It is one of the key to success in any work. Likewise, this study has certain bellow objectives:

- (i) To investigate into the existing scenario in the educational institutions as regard relation between teachers and students.

- (ii) To find out a solution as to present drawbacks as to that relationship and to evict the anarchy in educational institution.
- (iii) To find out causes of abusing students, drawbacks in the provision of law, the way to raise public conscious and the procedure to prevent the infringements of the rights of students.
- (iv) This study will also enlarge scientific knowledge about crimes in educational institutions and find out a way to ensure educational safety of students.

Literature Review

The literature regarding the offences in educational institutions which is known as white collar crime in teaching profession has not been established effectively yet. The objective of literature review is to clarify the information gaps in our country of hypothesis of research. There are many researches, government statistical reports along with literature, newspaper articles and television reports about this matter which deal with different aspects of different white collar crimes. Even though these works can give some hints as to different white collar crimes but cannot show appropriate scenario of the white collar crime in teaching profession. So it becomes very much necessary to conduct a comprehensive study on white collar crimes by teacher in Bangladesh. Now a days it is said that in this age of globalization and revolution of computers, printing and electronic media can easily influence vision and perspectives of person on a point than any other age of civilization. Nevertheless the study has collected data and knowledge from newspaper and television reports. It is very much unfortunate fact that there is no specific segment of law in our country to deal with the matters related to the canon of conduct of a teacher. There is no book in Bangladesh relating to the crimes occurred by the teachers. The reviewed literatures are searched from international books, journals, newspapers booklets and periodicals etc. There has some articles, documents, statutes on different aspects white collar crimes but none of them has dealt with the hypothesis of the study. The scope of the study includes the area of information required to collect and analyse regarding the white collar crime in teaching profession. The entire study will focus the information of the crime which is committed by a teacher and the lack as well as mistake of law. The title of the study denotes the subject matter of the study. As the topic of the study is the offences in educational institutions, it shall read the matters relating to the teaching system and criminality of teachers which is necessary for the discussion of the research question maintaining the sequence of the discussion.

White Collar Crimes

American sociologist Edwin Hardin Sutherland through his pioneering work emphasized that these ‘upper world’ crimes which are committed by the persons of upper socio-economic groups in course of their occupation violating the trust, should be termed “White Collar Crime” so as to be distinguished from traditional crime which he called, “Blue Collar Crime”. Thus he observed that if a broker shoots his wife’s lover, that is not a white collar crime, but if he violates the law and is convicted in connection with his business, he is a white collar criminal. Sutherland started systematic research into the criminal practice of the elites after the appearance of the first edition of his “Criminology” in 1924. In second (in 1934) and third edition (in 1939), he changed the title of the book (Principles of Criminology) and subsumed scattered comments on White Collar Crime. But his 1939 presidential address was his first systematic formulation of the term, which was subjected to criticism of different quarters. A white-collar criminal belongs to upper socio-economic class who violates the criminal law while conducting his professional qualities. White collar crime can be defined in many ways. It has been defined as crime committed by one of respectable or high social status or in the course of one’s occupation, as crime that involves deceit or a breach of trust, as nonviolent crime undertaken for personal gain, as crime that involves a combination of these factors, and simply as business crime.

According to Encyclopaedia, White-collar crime is financially motivated nonviolent crime committed for illegal monetary gain. Within criminology, it was first defined by sociologist Edwin Sutherland in 1939 as “a crime committed by a person of respectability and high social status in the course of his occupation”. Sutherland was a proponent of symbolic interactionism and believed that criminal behaviour was learned from interpersonal interactions. White-collar crime is similar to corporate crime as white-collar employees are more likely to commit fraud, bribery, Ponzi schemes, insider trading, embezzlement, cybercrime, copyright infringement, money laundering, identity theft, and forgery. It is commonly said “*Power* tends to corrupt and absolute power tends to corrupt absolutely.” Whatever citizens of a particular community become apathetic to the working of their Government, grafts, corruption and alliance between public servants and the criminal world are common phenomenon resulting into breach of trust, fraud and other malpractices.

White Collar Crimes in Bangladesh Perspective

There are different kinds of white collar crimes which are committed in Bangladesh. White collar crimes can be mainly divided into occupational crime and corporate crime. White collar crimes can be categorized as criminal misappropriation of property, Criminal breach of trust, Cheating or fraud, Defamation, Cyber-crime, Offences of printing and publication, Tax evasion, Bribery and corruption, Welfare Fraud, Kickback and Blackmail etc.

Definition and Responsibilities of a Teacher

Teachers are they who enrich the students with knowledge to build up the quality of leadership. A teacher is a person who provides education for the whole nation. In our country up to intermediate level teachers must be registered with the specific authority to continue teaching profession in case of private educational institution and for government institution they are appointed by specific appointment system. There is no procedure of registration for the faculty members of both public and private university rather they are appointed by respective institutions according to the rules fixed by specific legislations. Complaints may lead to withdrawal of registration on a temporary or permanent basis. The legislations provide information about making a complaint to the authority against a registered teacher. The authority will generally not look into a complaint if there is no sufficient grounds and unless grievance procedures have been exhausted. Good and sufficient grounds shall be existed where students are or may be at risk of harm. The character of a teacher has a great importance and significant impact in teaching profession. Anyone can be a teacher but not a good teacher. To be a good teacher, a teacher must have quality, honesty, morality and he should discharge the responsibilities conferred on him. A good teacher must be accountable, adaptable, caring, compassionate, cooperative, creative, dedicated, determined, empathetic, engaging, fearless, generous, inspirational, joyful, kind, organized, passionate, resourceful, trustworthy, vulnerable etc. Only to teach the students is not the only responsibility of a teacher. There are also many other tasks of a teachers to pave the way of the future of a nation. The primary and mandatory responsibility of a teacher is to teach the students. They should teach the students carefully and they shall be thought as their offspring. They should not follow their instinct during their dealings with students and they shouldn't do anything which is prejudicial to the students. If a child has an accident in the school, in the schoolyard, on the way to school, on the school bus or while on a school trip, the question of whether or not the school or the teachers were negligent may arise. There

is no simple answer to the question of when the school may be liable. Everything depends on the facts of the individual case. Teachers must take reasonable care to ensure that their students do not meet with foreseeable injury. They have a duty to protect the children against foreseeable risks of personal injury or harm. The standard of care is that of a reasonably prudent parent. The degree of care depends on such factors as the age of the students. There must be an effective system of supervision in operation in the school. The duty of care applies while the students are on the school premises during school opening hours. It may also apply if the students are present outside of official school hours, e.g., if they arrive early or leave late and the teacher/school has agreed to the students being present the same duty of care applies if a teacher voluntarily supervises children. Teachers are required to follow good standards and approved practice. Risky classes and activities require a greater degree of supervision. If goggles, protective clothing, etc., are supplied for certain activities, it is the teacher's duty to ensure that they are worn. Teachers are not insurers and cannot be responsible for every accident in school hours.

Hierarchy in Educational Institutions in Bangladesh

When British occupier separated British India into India and Pakistan they also intentionally divided the educational institution into general and religious institutions. Moreover alongside national curriculum system English curriculum system is also provided by some educational institutions. They offer 'A' level and 'O' level courses. The religious curriculum known as Madrasah Education which specialised on Arabic and Urdu medium which is providing Islamic knowledge and is presided over by the Madrasa Board. There is also technical curriculum called vocational education system.

The general curriculum education system is divided into following four steps:

1. Primary, which is started from Class I and continues to Class VIII.
2. Secondary, which covers Class IX and Class X and is ended with SSC examination.
3. Higher Secondary, which is initiated after completion of SSC examination and having two years session completed with HSC examination.

4. Tertiary, which is started after the successful completion of higher secondary level.

In Bangladesh now there are approximately 40 public universities, 100 private universities and three international universities providing tertiary education. Students may build their career in medicine, law, engineering, technology, agriculture, business and literature at a variety of universities and colleges. Students can choose both Bengali and English medium for their study in public universities but medium of instruction is restricted to English in private universities. In 1998 there were only 11 public universities and approximately 20 private universities in Bangladesh. Specialized universities are Bangladesh University of Engineering and Technology (BUET), Bangladesh Agricultural University and Bangabandhu Shaikh Mujib Medical University.

There are about 52,000 primary schools and 11,000 secondary institutions. The five years of lower secondary education concludes with a Secondary School Certificate (SSC) examination. Students who pass this examination proceed to two years of Higher Secondary or intermediate training, which culminate in a Higher Secondary School (HSC) examination. Ten education boards lead by the Ministry of Education deal with education up to HSC level.

1. Education Board of Barisal,
2. Education Board of Chittagong,
3. Education Board of Comilla,
4. Education Board of Dhaka,
5. Education Board of Dinajpur,
6. Education Board of Jessore,
7. Education Board of Rajshahi,
8. Education Board of Sylhet,
9. Madrasah Education Board,
10. Technical Education Board.

Among general schools and colleges there are twelve special institutions for boys and another three for girls called cadet colleges. A cadet college is a room and board collegiate maintaining military discipline. Faujdarhat Cadet College is the first cadet college in Bangladesh, established in 1958 at Faujdarhat in the district of Chittagong. The Technical and Vocational Education System provides courses related to various applied and practical areas of science, technology and engineering, or focuses on a specific specialized area.

The Madrasah Education System focuses on religious education, teaching all the basics of education in a religious environment. Religious studies are taught in Arabic and the students in some areas also serve the local area masjids. Many privately licensed Madrasas take in homeless children and provide them with food, shelter and education, e.g. Jamia Tawakkulia Renga Madrasah in Sylhet. In the Madrasah Education System there are two systems. One, called the "Quomi" Madrasah system is privately owned and funded and is run according to the Deobandi system of Islamic education, which rejects the rational sciences. The other, called the "Alia" madrasah system, is privately owned but subsidized by the government.

Profile of madrassa education in Bangladesh	Quantity
Number of private (Quomi) madrassas	13,902
Number of government-funded (Alia) madrassa	6,906
Number of teachers in Quomi madrassas	130,000
Number of teachers in Alia madrassas	100,732
Number of students in Quomi madrassas	1,462,500
Number of students in Alia madrassas	1,878,300
Total number of madrassas (Quomi + Alia)	13,406
Total number of teachers (Quomi + Alia)	230,732
Total number of students (Quomi + Alia)	3,340,800

Source: Wikipedia

Legislations on Teachers' Conduct

The Recognised Non-Government Secondary School Teachers (Board of Intermediate and Secondary Education, Dhaka) Terms and Conditions of Service Regulations 1979 is the primary regulation for teacher in Bangladesh. According to that Regulation, a teacher shall teach the students in accordance with the curriculum, make personal contacts with the students, assist the school authorities in curricular and co-curricular activities, supervise extra-curricular activities and perform such other functions as may be assigned to him.

According to the Regulation 9, no whole time teacher shall, except with the previous permission of the appointing authority, accept any private tuition or any other employment or engagement with or without remuneration involving his services in addition to his normal work in the school.

According to the Regulation 11, a teacher who commits a breach of the provisions of these regulations or who is guilty of negligence of duty, inefficiency or corruption or who knowingly does anything detrimental to

the interest of the school or is guilty of professional misconduct shall be liable to censure, withholding of increment for a specified period, recovery from pay of the whole or part of any pecuniary loss caused to the school by negligence of duty, removal from service and dismissal from service. The following acts are called professional misconduct:

1. unpunctuality in attending classes or any other duty assigned;
2. absence from duty without permission;
3. unauthorized extension of leave;
4. any activity which may directly or indirectly influence in exciting one group of teachers or students against another group of teachers or students for political or personal gains;
5. any activity which creates indiscipline or moral repercussion among the teachers and students;
6. insubordination, alone or in combination with other, to any lawful or reasonable order of the Headmaster or, as the case may be, the Managing Committee;
7. unauthorized use of school property; and
8. Any other activity which is considered and specified by the Board to be prejudicial to the interest of the school.

According to the Regulation 12, the power to impose penalty upon a teacher under Regulation 11 shall vest in the authority competent to make appointment: Provided that the penalties of dismissal or removal from service shall not be imposed unless the proposal for such penalty is examined by the Appeal and Arbitration Committee and approved by the Board.

Regulation 14 is about the procedure for drawing proceedings- (1) When 'a teacher is to be proceeded against for offences specified in regulation 11 he shall be called upon by a notice to submit a written explanation within seven days as to why the penalty or penalties specified in the notice should not be imposed on him for the alleged offences and asking him if he desires to be heard in person. (2) On receipt of the explanation from the teacher and his desire to be heard in person, the authority competent to impose penalty shall constitute a three member enquiry committee with a

Chairman. Provided that at least one of the members of the committee shall be from the teachers.

In our neighbouring country Srilanka, it is provided that reasonable use of corporal punishment would not come within the scope of offence. This suggests that a parent have a legal right to cause simple injury. A parent whose use of corporal punishment involves conduct that is an offence according to other provision in the penal code cannot use parental authority as a defence of criminal liability under the penal code. In the Corporal Punishment Ordinance, 1889 permitted sentence of whipping to be passed on male child offender limiting the strokes depending on the age. The Children and Young Person Ordinance, 1939 also permitted the court to impose a sentence of corporal punishment on boys under 16 limited to six strokes with a light cane. The Children and Young Person Ordinance, 1939 modelled on English statute of 1933 created a special offence of cruelty to children under 16 years of age. Education Ordinance, 1939 in Sri Lanka permitted for a failure to attend the schools. Corporal punishment is used as method of discipline within the family and mainly on boys in schools in Sri Lanka.

According to the article 7 of the Nepal Children Act, 1992: no child should be subject to torture or cruel treatment but qualifies this by stating that the act of scolding and minor beating to the child by his father an, mother, and any member of the family, guardian or teacher for the interest of the child himself shall not be deemed to violate the act.

According to the section 23 of the Juvenile Justice Act, 2000 whoever, having the actual charge of or control over a juvenile or child, assaults, abandons, exposes or wilfully neglects the juvenile or causes or procures him to be assaulted, abandoned exposed or neglected in a manner likely to cause such juvenile or the child unnecessarily mental or physical suffering shall be punishable with imprisonment for a term which may extend to six months or fine or with both.

This section has no exception to exempt parents or teachers. The purpose of Juvenile Justice Act 2000 is to translate the objectives and rights enshrined in convention on Child Rights which include separation of juvenile in conflict with law from ordinary judicial proceedings to avoid corporal punishment.

Article 28(2) of the Convention on Child Rights of 1989 indicates that, the school discipline should be administered in a manner consists with the child's human dignity and the Convention. Article 28 says that, Education is a right and Article 29 says that, the purpose of school education should

be to assist the child in developing his or her personality talents, mental and physical abilities to their fullest potential. Article 3, 18, and 36 of the convention deals with parental and adult responsibility in the private sphere and the right to protection and from exploitation. Article 19 provides for measures to protect children against all forms of physical abuse and imposes an obligation on member states to protect children from all forms of physical or mental violence, injury or abuse.

A draft education law titled as 'Education Act, 2016' was endorsed by the cabinet and it was published on April 8 for public comments. This new draft has brought in many significant changes in the education sector such as introduction of pre-primary education in all the government primary schools, banning of admission exam in class one, penalty for applying corporal punishment, punitive measures against producing or selling notebooks, guidebooks, running private tuition and coaching centres and so on. It has also stated that all the educational institutions at primary and secondary level will maintain a core curriculum. According to this law, a managing committee has been made a compulsory requirement for every institution and one person will not be able to head more than one committee. However, the law could have talked about student politics which is mostly responsible for disrupting the academic activities of the country's colleges and universities. There is also a specific legislation private universities known as the Private University Act, 2010.

Punishment given by the Teacher

Physical punishments given by teachers are making the students stand as a wall chair, keeping the school bag on their heads, making them stand for the whole day in the sun, make the children kneel down and do the work and then enter the class room, making them stand on the bench, making them raise hands, hold a pencil in their mouth and stands, holding their ears with hands passed under the legs, tying their hands, making them to do sit-ups, caning and pinching and twisting the ears. Students are also psychologically harassed by teachers with slapping by opposite sex, scolding, abusing, humiliating, label the child according to his or her misbehaviour and sent him or her around the school, make them stand on the back of the class and to complete work, suspending them for a couple of days, pinning paper on their back and labelling them 'I am a fool', 'I am a donkey' etc., teacher takes the child to every class she goes and humiliates the child, removing the shirts of the boys, normal range of punishment is caning, beating knuckles with stick or steal scale and kneeling down. Sometimes teachers negatively enforced against the students by detention during the break and lunch, locking them in a dark

room, call for parents or asking the children to bring explanatory letters from the parents, sending them home or keeping the children outside the gate, making the children sit on the floor on the classroom, making the child clean the premises, making the child run around the building or in the playground, making them to teach in class, threatening to give TC, child, deducting marks, giving excessive imposition, make the children pay fines and not allowing them into the classroom etc.

Misconduct in Madrasah

In Eid-ul-Azha the teachers of different madrasah do not permit the students to go to home. For their extra benefit they force their students to be present at the institutions. During Eid-ul-Azha Muslims sacrificed various animals like bull, cow, goat and camel etc. The teachers of those institutions collect the leather by the students and sell them with huge profit. If any of the students wants leave on this day, the teachers says that if they want to go to home they have to pay taka 500 as fine. There are a huge number of students in Madrasah who are very much poor and they cannot pay fine. So they work all the day long and are deprived from the joy of Eid. If the institutions had a good will they could leave the students on this day and appoint day labour for collecting the leather. The authority always violates the order of Government and does not observed the national important days like the Victory Day, Independence Day, International Mother Language day etc. They torture the students very much. By their torturing sometimes blood flows from the body of the students which is forbidden. Some students said that the Hujur beats them and for this reason they have left the study. The appointment of teachers in that institution is also corrupted. The teacher or the Hujur is not appointed by following proper way and some teachers don't have the quality of good teacher. The principle or the Najim appoints the Hujur at his own will following partiality or familiarity. As Madrasah are the religious institution of Muslim many people of this country donate a huge amount of money to Madrasah on different occasions for the development of the institutions. But the management committee and teachers of some institution manipulate those donations by concealing the information of fund from general people.

Violations of Students' Rights in Primary Level

Primary education is the valuable education for a nation and the government spends a huge amount of money for the primary education. The teachers don't take their class properly and they pass the class time by

gossiping in the office room. Some teachers come to the school three or four days in a week. The managing committee of the school doesn't superintend the teachers effectively. They take consecutive examination of the students and make money in the name of fees of the examination. Education Board of Bangladesh confirmed that the primary school will take three examinations within a year. But some primary school take more than 7 exam in a year and take money from the students that is illegal and breach of trust. Sometimes they take money or other benefit from the guardian to get through the students. They tell the answer of the question in the examination hall. They give more marks to that student from whom they take money.

Offences Committed at Secondary and Higher Secondary Level

Every High school and college collects money from the students for the costs and other expenses of the institutions. So the students have to pay admission fees, monthly tuition fees, examination fees etc. The amounts of those fees are different in different institution. Some institutions take huge amount of money from the students that are unexpected and improper. For this reason the poor becomes unable to educate their children. By this the illiteracy problem of this country is increasing day by day. Some local teachers help their relative students in the examination hall. Some teachers take money and give question papers of the examination to some students. It is an example that in the HSC examination 2015, the teachers of Latifa Shofi Chowdhury Mohila Degree College helped their students in the exam hall which was held in Rebat Raman High School, Muglabazar, Sylhet. It is a matter of great regret that the question paper of SSC and HSC examination is blurt out before the examination. In 2012, 2013, 2014 the question paper was blurted out. Some teachers don't take class properly and carefully in the classroom and the students can't understand anything. The teachers give lecture in the class room and say the students to by the lecture sheet from him. By this way they take a big amount of money from the students. Some teachers take money from different types of publication to sell the books of that publishers. Without their suggested books they don't take the class. Some institution take fines from the students if they don't attend to class for any reason. The students have to pay fine otherwise they are punished by the teachers. Renga Haji Gonj High School and College take 50 to 20 taka for a day, Reboti Raman High School take 2 taka for a day, Raja Chowdhury High School take 5 taka for a day. Besides the mentioning school and colleges, others schools and colleges of Sylhet take fines for absence from taka two to 100. They also take fines from the students as delay fine of tuition fees. Torturing the students has become a common affair in our country. Most of the students

of secondary schools are tortured in the classroom. If any student can't come to the school for any reason the teacher tortures him/her. If any of the students can't learn the lesson he is beaten by the teachers. Appointment of teacher in a secondary school is not fair. The managing committee of the school appoints the teachers according to their own wish. For this reason, the teacher doesn't become well-qualified and in some cases they don't have the characteristics of a good teacher. In some institution unmarried teachers are appointed and sometimes they make relationship with each other and relation turned into physical relation. By seeing this the male and female students try to make relation with each other and don't obey the command of those teachers. All the occurrences discussed are crimes but remain hidden from the eyes of law and general people.

White Collar Crimes in Tertiary Level

Tertiary level institutions are those which are providing higher education include both the private and public universities. In short the under graduation and the graduation level and higher to those are called tertiary level. The teachers of this level are largely corrupted and they commit white collar crime. The teachers of public and national universities don't take their classes regularly and properly. They take one or two classes in a month. The government of Bangladesh pays a huge amount of money as the salary of teachers of public and national universities. But the teachers of those institutions disobey their duty. They don't even maintain the office time properly. Though they are government employees, they don't perform their duty with care. Along with doing job in those institutions they also do job in private universities for more profit or benefit. They earn a huge amount of money from the private universities. When taking classes in their own institution is mandatory they spend their times in private universities. They breach the trust of government, students and the people of all classes. Another offence is that though they earn money from different ways they don't pay the income tax appropriately. They don't give the proper return of their income. The income of government comes from taxes and with this taxes the government leads the country. Different teachers are involved with different political party. For this reason they call the students to their path and the students start student politics. This student's politics is very much injurious for the nation at present time. In some cases the students are involved with criminal activities by doing students politics. Some teachers of public, private and national university serve themselves as a tuition teacher. They don't take class properly as well as adequately and for this reason the students don't become able to understand what the teacher teaches. By taking this benefit the teacher

suggest the student for tuition and by this way they earn a huge amount of money. The teacher appointment systems in private and public universities are not also fare. Sometimes the management authority takes money as bribery to appoint a teacher. The management authorities of public and private universities appoint teachers by political power or the political force as there is no hard and fast rule of the Bangladesh University Grants Commission (UGC) regarding the appointment of teacher. At first, they appoint a teacher as a probationer teacher and they don't give any information to UGC about this and after 6-7 months they inform the UGC about that appointment. Thus an institution is fulfilled by the member of the political party. So the environment of education doesn't remain proper in those universities. As teachers make the question paper of their assigned courses sometimes they take money from the students and give the question to them. A teacher gives a student more marks with whom he is familiar than other students. Many legal professionals like judges and advocates of our country are involved in teaching profession but it is illegitimate. In every year many students of law pass law and obtain law degree. Some of them gets job in court as judge or advocate. It creates a chance for the students of law to get a job in public and private university as a teacher but it doesn't become possible for some judges and advocates. By this they omit and ignore their duty and they also destroy the chance of getting job of those students who pass the law degree. The time which should spend in court but they are spending that time in teaching.

Sexual Harassment and Rape by Teachers

The students of every level of educational institutions are being harassed by some teachers. From primary level to tertiary level female students are being sexually abused by some black sheep teachers. Not only the students of school, college and university but also the students of madrasah are harassed sexually and raped. A news on 12 August in 2007 reveals that a student of class three was raped by a teacher in Sunamgonj. A teacher named Mostofa Kamal of the Renga Hajigonj High School and college in Sylhet has sexually harassed a student and when the people that locality knows the news of his offence he married that student by hook or by crook. A news shows that the headmaster of the Shibpasha Government Primary School sexually abused a student of class five. Another published news said that a teacher of the Pochamariya Degree College of Putiya in Rajshahi raped a student and make a video of it and published it on internet. A teacher named Ratan Ali of the Jurabari Girls High School in Nilfamari raped a woman. A teacher of the Viqarunnissa Nun School and College named Parimal raped a student and after 4 years on November 25, 2015 the sentenced him with imprisonment of life.

On April 17, 2016 a published news has expressed that a student of class eight of the Ajgora High School was raped by the Headmaster. Some days ago a female teacher of Kushtia was raped by the headmaster of the same institution. On September 14, 2015 a teacher was suspended at Polashbari for the sexual harassment of a student. S M Hasanur Rahman was arrested in Bagerhat for the sexual harassment of a student of class six on September 27, 2016.

Madrasah is a religious institution and it invites the students to religion which shows the good path of life. Unfortunately some teachers of Madrasah harassed the students sexually and some students are raped. A teacher sexually harassed a student by holding their hand, keeping hand on their backside, by eye contacting, by sledging with them, by proposing a bad proposal, looking on their chest, calling them on house, proposing for living together for a night, want something bad by allurements of examination, beating them by a stick in the sexual part of their body, beating them with hand in the lenient part of the body, saying them rough word, rape forcefully, rape or create a physical relation by hook or by crook, propose to marry and touch the sexual part of the body. For some bad record of teachers the guardians of the female students doesn't want to send their children to schools, colleges and universities. For this reason the portion of female education in our country is less than the male students. For their bad activities the some students committed suicide and sacrificed their lives.

Harassment in the Name of Coaching

Some schools and colleges run coaching in that institution to teach the students. Especially the students of class VIII, IX, X, SSC examinee and students of intermediate first and second year have to study in the Coaching Centres. The teachers take from 500 taka to 1000 taka per month. The teacher who takes the regular classes in the classroom as the part of their duty they also take classes in the school or college coaching centres. The teachers who take classes in coaching centres earn a huge amount of money from the students and the Headmaster or the Principal also take a portion from that money. If the guardian of any student doesn't agree to send his child to the coaching centres the teachers threaten the student. Sometimes they don't allow the student to sit for the JSC, SSC and HSC examination who don't attend the coaching. The main purpose of that school and college coaching is not to teach the student but to earn money. We all know that our education system in general has not become so efficient that all students can be taught by teachers properly. But then of course, over time a section of money-hungry teachers of schools and

colleges began unethically using private tuition for personal gains. They would not pay attention to teaching students in classes and force the students to come to them for private tuition just to pass the exams. If anyone is asked, “why do the students go for private tuition?” He would say it is because of the weak teaching and classroom sessions. If the teaching and classrooms were stimulating enough, why would any young girl or boy want to waste their playtime hours learning the same things under a private tutor. Students of some reputed private English Medium Schools in our country have not to go for private tuition as their teachers are better qualified. A question “why do the teachers of school, college and university do tuition?” was asked to some teachers. They answered that the institutions don't provide them that money by which they can maintain their family. If the government wants to end the malpractice of private tuition it has to take measures to improve teachers' quality by making the teaching profession more honourable and financially attractive. Some teachers of different educational institution are involved with different coaching centre. Those teachers referred the student to go to that coaching centre for better study and guide. They don't take class in the schools or colleges attentively for more profit.

Recommendations

The offences which are committed by teachers cannot be prevented within a short time. After observing the white collar crimes in teaching profession the study is giving following recommendations to solve this problem:

- It is difficult to estimate the extent and influence of white collar crime in teaching profession on victims because those who suffer the consequences of white collar crime are ignore about it. For this reason detecting, processing or penalizing of those criminals are necessary. It must be brought under the law of crimes.
- There are some codified laws in Bangladesh for detecting and punishing traditional crimes but unfortunately there is no specific law for crimes by teacher. In the absence of such civil law, those criminals are escaping from the arm of law. So, specific laws should be introduced.
- Special tribunals should be constituted with power to award sufficient punishment for offender.
- The Anti-Corruption Commission (ACC) should be equipped properly by providing sufficient manpower, money and other

logistic supports so that the Commission can control sexual harassments and other offences.

- Creating public awareness against these crimes through electronic and press media, platform another audio-visual aids can help in reducing the incidents of criminality to a considerable extent.
- All coaching centres should be banned immediately for the welfare of the education of the country.
- Tuitions by teachers and authority of schools, colleges, and universities have to be stopped.
- Mandatory coaching in schools and colleges must be prohibited.
- The account of income of every teacher has to submit to the government so that they can't pay false income tax.
- Torturing the students have to be stopped. If any student commits any wrongful act or behaves badly, if it is first offence then the teacher will call the guardian of that student and make him understand. When it is second offence, then the teacher will call the member or word commissioner of his word and will say to try him. If it is third offence then the teacher can suspend him.
- The government has to make effective rules for appointing a teacher.
- Before appointing a teacher, he has to provide a character certificate with the sign of at least 10 matured person of his locality from which the signature of five women have to provide.
- No institution such as: school, college, university, madrasah can appoint a teacher without the permission of government.
- The government should justify the character of a teacher who are teaching currently in different institutions.
- Before appointing a teacher, he has to deposit an amount of money to the management committee for security so that he cannot commit any crime and violate his duty.
- The government should make a strict rule for the madrasah especially for the Kaumi Madrasahh to obey the order of the government.

- The management committee should call a meeting in every month with students and ask them either any teacher has committed any rough behave or not. If any student complains against any teacher, the management committee should take the necessary action(s).
- The government should fix the admission fees and tuition fees for every institution both governmental and non-governmental institutions.
- The salary of the teacher has to increase so that they can properly maintain their family and other related demands.
- The government should appoint such teacher who doesn't involve in politics.
- It has to confirm that no judges will be allowed to job or take class in any educational institution.
- It has to confirm that no teacher of any educational institution is allowed to do job in any 2nd educational institution.
- It has to confirm that no government employee or other private employee can enter into teaching profession during his employment time to reduce the unemployment problem.
- No teacher can stay in his employment place after his office time.
- No teacher is allowed to call any student in his house or other place for any necessity.

Conclusion

White collar crime is therefore a complex area to conceptualize. It remains on the sidelines of criminology and poses analytical, definitional and research problems. White collar criminality has been an alarming issue in the context of criminology of Bangladesh and abroad. The white collar criminals as are the leaders of their respective fields, often keeps themselves behind the curtain. The issue of white collar crime is very much severe and it should be pondered upon very carefully. White collar crime has been present for many years. It may have been over looked, but it still was present even in the twentieth century. White collar crime is a broad category containing many different types of offenses. White-collar crimes in teaching profession are one of the most costly crimes to society.

Teachers are well known to the society and they are respected by all. When they are engaged in white collar crime, they are misleading and it is very harmful for the nation. This violates the trust of all of us of our society. This phenomenon led to the birth of the concept white-collar crime in teaching. Finally it must be stated that a developing country like Bangladesh where the population is fast escalating, economic offences are increasing by leaps and bound besides the traditional crimes. The government and social organization must also be conscious about to prevent the white collar crimes in teaching profession in Bangladesh.

REFERENCES

1. Adam, G. (2000) "Nine Types of Cyber Crimes", paper presented at the centre of criminology, University of Hong Kong, Feb 19.
2. Andre, S., Pennington, A., & Smith, B. L. (2014). Fraud education: A module-based approach for all business majors. *Business Education & Accreditation*, 6(1), 81-94.
3. Behrens, Angela, Christopher Uggen, and Jeff Manza. 2003. Ballot manipulation and the "menace of Negro domination": Racial threat and felon disenfranchisement in the United States, 1850–2002. *American Journal of Sociology* 109:559–605.
4. Bivuti, T. June (2003) "An anatomy of white collar crime in Bangladesh", *Journal of Law*, Vol 1, No. 1, pp 55-62.
5. Blumstein, Alfred and Jacqueline Cohen. 1980. Sentencing of convicted offenders: An analysis of the public's view. *Law & Society Review* 14:223–261.
6. Branscombe, Nyla, R., Daniel L. Wann, Jeffrey G. Noel, and Jason Coleman. 1993. Ingroup or out-group extremity: Importance of the threatened social identity. *Personality and Social Psychology Bulletin* 19:381–388.
7. Charles B. Klein, What Exactly Is an Unlawful Gratuity After *United States v. Sun-Diamond Growers?*, 68 GEO.WASH. L. REV. 116 (1999).
8. Clarke, M. E. (2004). Hamstrung or properly calibrated? Federalism and the appropriate role of government in the post-Sarbanes-Oxley world. *International Journal of Disclosure & Governance*, 1(4), 385-412.
9. Costelloe, Michael T., Ted Chiricos, Jiri Burianek, Marc Gertz, and Daniel Maier-Katkin. 2002. The social correlates of punitiveness toward criminals: A comparison of the Czech Republic and Florida. *Justice System Journal* 23:191–220.
10. Dev, R. (1990) *Principles of Criminology, Criminal Law and Investigation*, Vol 1(2nd Ed) p11.

11. Elkins, Teri J., James S. Phillips, and Robert Konopaske. 2002. Gender-related biases in evaluations of sex discrimination allegations: Is perceived threat a key? *Journal of Applied Psychology* 87:280–292.
12. Grabowsky, P.N., John B. Braithwaite, and P.R. Wilson. 1987. The myth of community tolerance toward white-collar crime. *Australian and New Zealand Journal of Criminology* 20:33–44.
13. Karzon, Sheikh H. Rahman (2008) “*Theoretical and Applied Criminology*, 1st Ed Dhaka, Palal Prakashani, p128.
14. Levi, Michael. 2009. Suite revenge? The shaping of folk devils and moral panics about white-collar crimes. *British Journal of Criminology* 49:48–67.
15. Massey, Kelly, Sabrina Freeman, and Morris Zelditch. 1997. Status, power, and accounts. *Social Psychology Quarterly* 60:238–251.
16. Miriam H. Baer, Insuring Corporate Crime, 83 IND. L. J. 1035, 1049 (2008).
17. Miriam H. Baer, Linkage and the Deterrence of Corporate Fraud, 94 VA. L. REV. 1295 (2008).
18. Perri, F. S. (2011). White-collar criminals: The 'kinder, gentler' offender? *Journal Of Investigative Psychology & Offender Profiling*, 8(3), 217-241.
19. Ragatz, L. L., Fremouw, W., & Baker, E. (2012). The psychological profile of white-collar offenders: Demographics, criminal thinking, psychopathic traits, and psychopathology. *Criminal Justice and Behavior*, 39(7), 978-997.
20. Riedel, Marc. 1975. Perceived circumstances, inferences of intent, and judgments of offense seriousness. *The Journal of Criminal Law and Criminology* 66:201–208.
21. Samuel Buell, What is Securities Fraud?, 61 DUKE L.J. 511, 556–60 (2012)
22. Shapiro, Andrew. 1993. Challenging criminal disenfranchisement under the Voting Rights Act: A new strategy. *Yale Law Journal* 103:537–566.
23. Sutherland, E. H. (1940). White-collar criminality. *American Sociological Review*, 5(1), 1-12.
24. Sutherland, E.H. (1996), *White Collar Crime*, p 43.
25. Walters, G. D. & Geyer, M. D. (2004). Criminal thinking and identity in male white-collar offenders. *Criminal Justice and Behavior*, 31(3), 263-281.
26. Zara, G. & Farrington, D. P. (2009). Childhood and adolescent predictors of late onset criminal careers. *Journal of Youth and Adolescence*, 38(3), 287-300.

27. The Recognised Non-Government Secondary School Teachers (Board of Intermediate and Secondary Education, Dhaka) Terms and Conditions of Service Regulations 1979.
28. The Nepal Children Act, 1992.
29. The Juvenile Justice Act, 2000.
30. The Convention on Child Rights, 1989.
31. The Education Act, 2016.
32. The Private University Act, 2010.
33. <http://www.aryasamajjamnagar.org/chapter>
34. https://en.wikipedia.org/wiki/Credit_car
35. <https://www.law.cornell.edu/ethics/ny/co>
36. <http://www.justanswer.com/long-paper/6eu>
37. <http://link.springer.com/article/10.1007>
38. <http://humanscience.wikia.com/wiki/Corru>
39. <http://www.thedailystar.net/country/opin>
40. <https://www.humanrights.gov.au/publicati>
41. <http://militaryadvantage.military.com/20>
42. <http://k12success.blogspot.com/2014/06/t>
43. <http://shirshobindu.com/?p=82323>
44. <http://2012books.lardbucket.org/books/so>
45. <https://www.msd.govt.nz/documents/about->
46. https://issuu.com/bpdhyd/docs/best_schoo
47. <http://methodenpool.uni-koeln.de/portfol>
48. <http://www.gallup.com/poll/2080/Educatio>
49. <http://www.legalservicesindia.com/articl>
50. <https://www.unicef-irc.org/portfolios/do>
51. <http://atheism.about.com/od/religioninsc>
52. <http://woodville.jch.schoolinsites.com/?>
53. <https://indiankanoon.org/doc/26589129/>
54. <https://www.scribd.com/document/28129901>
55. <https://alaminlawru.wordpress.com/2015/0>
56. <https://www.coursehero.com/sitemap/schoo>