

Government of the People's Republic of Bangladesh

Ministry of Law and Parliamentary Affairs

(Law Division)

Notification

No. 1038-Pub.-15th December, 1972-The following order made by the President, on the advice of the Prime Minister of the people's Republic of Bangladesh on the 15th December, 1972, is here by publisher of general information.

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President's Order No-149 of 1972

The Bangladesh Citizenship (Temporary Provisions) Order, 1972

Whereas it is expedient to make temporary provisions regarding citizenship of Bangladesh;

Now, THEREFOR, in pursuance of the Proclamation of Independence of Bangladesh, read with the provisional Constitution of Bangladesh order, 1972, and in exercise of all powers enabling him in that behalf, the president is pleased to make the following order :

1. i) This order may be called the Bangladesh citizenship (Temporary Provisions) order, 1972.

ii) It shall come into force at once and shall be deemed to have taken effect on the 26th day of March, 1971.

2. Notwithstanding anything contained in any other law, on the commencement of this order, every person shall be deemed to be a citizen of Bangladesh-

i) who or whose father or Grandfather was born in the territories now comprised in Bangladesh and who was a permanent resident of such territories on the 25th day of March, 1971, and continues to be so resident; or

ii. who was a permanent resident of the territories now comprised in Bangladesh on the 25th day of March, 1971 and continues to be so resident and is not otherwise disqualified for being a citizen by or under any law for the time being in force;

Provided that if any person is a permanent resident of the territories now comprised in Bangladesh or his dependent is, in the course of his employment or for the pursuit of his studies, residing in a country which was at war with, or engaged in military operations against Bangladesh and is being prevented from returning to Bangladesh, such person, or his dependents, shall be deemed to continue to be resident in Bangladesh.

2A. A person to whom Article 2 would have ordinarily applied but for his residence in the united kingdom shall be deemed to continue to be permanent resident in Bangladesh within the meaning of that Article;

Provided that the Government may notify, in the official Gazette, any person or categories of persons in whom this. Article shall not apply.

2B. (1) Notwithstanding anything contained in Article 2 or in any other law for the time being in force a person shall not except as provided in clause (2), qualify himself to be a citizen of Bangladesh if he

(i) owes, affirms or acknowledges, expressly or by conduct, allegiance to a foreign state, or

(ii) is notified under the provision to Article 2A ;

Provided that a citizen of Bangladesh shall not, merely by reason of being a citizen or acquiring citizenship of the state specified in or under clause (2), cease to be a citizen of Bangladesh.

(2) The Government may grant citizenship of Bangladesh to any person who is a citizen of any state of Europe, North America or Australia or any other state which the Government may, by notification in the official Gazette, specify in this behalf.

3. In case of doubt as to whether a person is qualified to be deemed to be deemed to be a citizen of Bangladesh under Article 2 of this order, the question shall be decided by the Government, which. decision shall be final.

4. The Government may, upon an application made to it in this behalf, in the manner prescribed, grant citizenship to any person.

5. The Government may make rules for carrying out the purposes of this order.

Abud Sayed Chowdhury
President of the People's Republic of Bangladesh

DACCA
The 15th December, 1972