

THE BANGLADESH CITIZENSHIP (TEMPORARY PROVISIONS) ORDER, 1972

(PRESIDENT'S ORDER NO. 149 OF 1972).

[15th December, 1972]

WHEREAS it is expedient to make temporary provisions regarding citizenship of Bangladesh; NOW, THEREFORE, 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. (1) This Order may be called the Bangladesh Citizenship (Temporary Provisions) Order, 1972.

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

1[1A. In this Order, unless there is anything repugnant in the subject or context, "prescribed" means prescribed by rules made under this Order.]

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.

2[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 to whom this Article shall not apply.

3[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 proviso to Article 2A:

Provided that a citizen of Bangladesh shall not, merely by reason of being a citizen or acquiring citizenship of a 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 or North America or of 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 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.

4[4A. The Government may, upon an application made to it in this behalf in the manner prescribed, grant right of permanent residence to any person on such conditions as may be prescribed.]

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

Annotations

- 1 Article (1A) was inserted by The Bangladesh Citizenship (Temporary Provisions) (Amendment) Act, 1990 (Act No. LVIII of 1990), section 2.
- 2 Articles 2A and 2B were inserted by The Bangladesh Citizenship (Temporary Provisions) (Amendment) Act, 1973 (Act No. V of 1973), section 2.
- 3 Article 2B was substituted by The Bangladesh Citizenship (Temporary Provisions) (Amendment) Ordinance, 1978 (Ordinance No. VII of 1978), section 2.
- 4 Article 4A was inserted by The Bangladesh Citizenship (Temporary Provisions) (Amendment) Act, 1990 (Act No. LVIII of 1990), section 3.

Amending Law(s)

The Bangladesh Citizenship (Temporary Provisions) (Amendment) Act, 1990 (Act No. LVIII of 1990).

The Bangladesh Citizenship (Temporary Provisions) (Amendment) Ordinance, 1978 (Ordinance No. VII of 1978).

The Bangladesh Citizenship (Temporary Provisions) (Amendment) Act, 1973 (Act No. V of 1973).

Provision(s) Repealed/Omitted by Law(s) Referred to

The Provisional Constitution of Bangladesh Order, 1972.

The Proclamation of Independence of Bangladesh.

This law has been updated upto (last amending law):

The Bangladesh Citizenship (Temporary Provisions) (Amendment) Act, 1990 (Act No. LVIII of 1990).