

The Essential Services (Maintenance) Act, 1952

(ACT NO. LIII OF 1952)

An Act to provide for the maintenance of certain essential services. ^{1♣}

WHEREAS it is expedient to make provision for the maintenance of certain essential services;

It is hereby enacted as follows:-

Short title, extent and commencement 1. (1) This Act may be called the ²[* * *] Essential Services (Maintenance) Act, 1952.

(2) [Omitted by section 2 of the Pakistan Essential Services (Maintenance) (Amendment) Act, 1958, (Act No. IX of 1958)].

(3) It shall come into force at once.

Interpretation 2. In this Act, unless there is anything repugnant in the subject or context, “employment” includes employment of any nature whether paid or unpaid, and whether in or out of Bangladesh.

Employment to which this Act applies 3. (1) This Act shall apply to every employment under the Government, and, subject to the provisions of sub-section (2), to any employment or class of employment which the Government may, by notification in the official Gazette, declare to be an employment or class of employment to which this Act applies.

(2) No declaration under sub-section (1) shall be made in respect of any employment or class of employment unless the Government is of opinion that such employment or class of employment is essential,-

(a) for securing the defence or the security of Bangladesh or any part thereof, or

³[(b) for the maintenance of such supplies or services which are essential to the life of the community.]

(3) A declaration under sub-section (1) shall remain in force for a period of six months which the Government may, by notification in the official Gazette, extend for further periods not exceeding six months at any time.

Power to order persons engaged in certain employments to remain in specified areas

4. (1) In respect of any employment under the Government and in respect of any employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, the Government, or an officer authorised in this behalf by that Government may, by general or special order, direct that any person or persons engaged in such employment shall not depart out of such area or areas as may be specified in such order.

(2) An order made under sub-section (1) shall be published in such manner as the Government or the officer making the order considers best calculated to bring it to the notice of the persons affected by the order.

Offences

5. (1) Any person engaged in any employment or class of employment to which this Act applies who-

(a) disobeys any lawful order given in the course of such employment, or attempts to persuade any person to disobey any such order or refuses to work, to continue to work, whether or not acting in combination with, or under a common understanding of, any other person engaged in such employment, or

(b) without reasonable excuse abandons such employment or absents himself from work, or

(c) departs from any area specified in an order under sub-section (1) of section 4 without the consent of the authority making that order,

and any employer of a person engaged in an employment or class of employment declared under section 3 to be an employment or class of employment to which this Act applies, who without reasonable excuse-