

The Government Servants (Review of Penalties) Ordinance, 1975

(Ordinance NO. XLVIII OF 1975)

An Ordinance to provide for the review of orders imposing penalties upon some Government servants and Corporation employees under certain laws.

WHEREAS it is expedient to provide for the review of orders imposing penalties upon some Government servants and Corporation employees under Martial Law Regulation No. 58 of 1969 and the Government of Bangladesh (Services) Order, 1972 (P.O. No. 9 of 1972);

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render immediate action necessary;

NOW, THEREFORE, in pursuance of the Proclamation of the 20th August, 1975, and in exercise of the powers conferred by clause (1) of article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to make and promulgate the following Ordinance:-

Short title	1. This Ordinance may be called the Government Servants (Review of Penalties) Ordinance, 1975.
Definition	¹ [2. In this Ordinance, "Review Board" means the Review Board constituted under section 3A.]
Ordinance to override other laws, etc.	3. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or in any rules, regulations, contract or terms or conditions of service.
Review Board	² [3A. (1) The Government shall constitute a Review Board for the purposes of this Ordinance.

(2) The Review Board shall consist of three members, of whom two shall be persons who are or have been Judges of the Supreme Court and the other shall be a person who is or has been a senior officer in the service of the Republic, and they shall be appointed by the Government.

(3) The Government shall appoint one of the members of the Review Board who is or has been a Judge of the Supreme Court to be its Chairman.

(4) In this section, "Supreme Court" includes a Court which at any time before the commencement of the Constitution of the People's Republic of Bangladesh exercised jurisdiction as a High Court in the territory of Bangladesh.]

Application for review

4. Any person who was aggrieved by any order passed under Martial Law Regulation No. 58 of 1969, or by any order or declaration passed or made under the Government of Bangladesh (Services) Order, 1972 (P.O. No. 9 of 1972), may, within sixty days from the date of commencement of this Ordinance, apply in writing to the Review Board for review of such order or declaration.

Procedure of Review Board

5. On receipt of an application under section 4, the Review Board shall examine the records of the case in which the order or declaration, the review of which is applied for, was passed or made and hear the applicant, and make to the President any one of the following recommendations, namely:-

(a) rejection of the application;

(b) cancellation of the order or declaration, the review of which is applied for;

(c) modification of the order, the review of which is applied for.

Powers of Review board

³[5A. (1) The Review Board may, if it considers necessary for the purpose of review of any order or declaration, examine any person or require any