

The Jatiya Rakkhi Bahini (Absorption in the Army) Ordinance, 1975

(Ordinance NO. LII OF 1975)

An Ordinance to provide for the absorption of the members of the Jatiya Rakkhi Bahini in the Bangladesh Army.

WHEREAS it is expedient to provide for the absorption of the members of the Jatiya Rakkhi Bahini in the Bangladesh Army and for matters connected therewith or ancillary thereto;

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
and
commencement**
1. (1) The Ordinance may be called the Jatiya Rakkhi Bahini (Absorption in the Army) Ordinance, 1975.
 - (2) It shall be deemed to have come into force on the 3rd day of September, 1975.
- Definitions**
2. In this Ordinance, unless there is anything repugnant in the subject or context,-
 - (a) "Bahini" means the Jatiya Rakkhi Bahini constituted under the Order;
 - (b) "commencement of this Ordinance" means the 3rd day of September, 1975;
 - (c) "member of the Bahini" means a person appointed or enrolled in the Bahini under the Order;

(d) "Order" means the Jatiya Rakkhi Bahini Order, 1972 (P.O. No. 21 of 1972).

Ordinance to override other laws, etc.

3. The provisions of this Ordinance and any order made thereunder shall have effect notwithstanding anything contained in the Order or in any other law for the time being in force, or in any contract, agreement, document or other instrument.

Absorption of members of the Bahini in the Army

4. On the commencement of this Ordinance,-

(a) all members of the Bahini, who are willing to serve in the Bangladesh Army and found suitable in all respects for such service, shall be appointed in the Bangladesh Army on such terms and conditions as the Government may determine;

(b) all rights and assets and all property, movable or immovable, cash and bank balances, funds, arms, ammunition, explosives, wireless sets, equipment, stores, vehicles, vessels, and work shops, and all rights and interests in or arising out of such property, of the Bahini shall be transferred to the Bangladesh Army, or to such other Defence Service or branch thereof, in such manner as the Government may, by order, specify;

(c) all debts, obligations and liabilities incurred, all contracts entered into, all agreements made, and all matters and things engaged to be done, by, with or for the Bahini shall be deemed to have been incurred, entered into, made or engaged to be done by, with or for the Bangladesh Army or such other Defence Service or branch thereof as the Government may, by order, specify;

(d) all deeds, bonds, agreements, powers of attorney, documents and other instruments of whatever nature to which the Bahini is a party or which are in favour of the Bahini shall be enforceable and of effect by, against or in favour of the Bangladesh Army or such other Defence Service or branch thereof as the Government may, by order, specify as if in place of the Bahini the Bangladesh Army or the Defence Service or branch thereof specified in the order had been named therein;