

Preamble

We, the people of Bangladesh, having declared our independence on 26 March 1971 through a glorious liberation war, solemnly adopted this Constitution on 4 November 1972, in our Constituent Assembly. The Constitution begins with a commitment to the fundamental ideals of **nationalism, socialism, democracy, and secularism**, as articulated in the **Preamble** and later elaborated in **Articles 8 to 12**. These ideals, for which our martyrs laid down their lives, serve as guiding principles for the governance of the Republic. The preamble further asserts that it is the sacred duty of every citizen to safeguard and defend this Constitution. According to **Article 7**, all powers belong to the people and shall be exercised only under the authority of the Constitution, which is declared to be the supreme law of the Republic. Any law inconsistent with it shall be void. Moreover, **Articles 7A and 7B** reinforce the sanctity of the Constitution by making any attempts to subvert it an act of **sedition**, and by prohibiting any amendment to its core structure, including the **Preamble, Part I, Part II, Part III (except as provided in Article 47A)**, and **Article 150**.

Part I: The Republic (Articles 1–7B)

The Constitution defines Bangladesh as a **unitary, independent, and sovereign Republic** under **Article 1**, known officially as the People's Republic of Bangladesh. The **territory** of the Republic is outlined in **Article 2**, comprising areas formerly part of East Pakistan, along with the incorporated and excluded territories mentioned in the **Third Amendment Act of 1974**. While **Article 2A** declares **Islam as the State religion**, it simultaneously guarantees equal rights and status to all other religions, consistent with **Articles 28 and 41**, which ensure non-discrimination and freedom of religion. The **state language** is declared to be Bangla in **Article 3**, reflecting the significance of the language movement in national identity. **Article 4** provides for the **national symbols**, including the anthem, flag, and emblem, the latter being described in detail. The **Portrait of the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman**, is to be preserved and displayed in various institutions, as made mandatory by **Article 4A**. The **capital** of the Republic is Dhaka as per **Article 5**. **Citizenship** is addressed in **Article 6**, stating that the people of Bangladesh shall be known as **Bangalees as a nation** and **Bangladeshis as citizens**. Under **Article 7**, all powers emanate from the people, and the Constitution is the supreme law of the land. **Article 7A** criminalizes any attempt to abrogate or suspend the Constitution, and **Article 7B** provides a **protective shield** for fundamental sections of the Constitution from being amended.

Part II: Fundamental Principles of State Policy (Articles 8–25)

The **Fundamental Principles of State Policy**, detailed in **Articles 8 through 25**, lay down the ideological foundation of governance. **Article 9** explains **Bengali nationalism** as rooted in the language and culture that inspired the liberation war. **Article 10** envisions a **socialist economic order**, aiming to establish a society free from exploitation. **Article 11** defines the state as a **democracy**, ensuring participation through elected representatives. **Article 12** ensures **secularism**, prohibiting communalism, the use of religion in politics, and religious discrimination. Ownership of production and distribution means is addressed in **Article 13**, allowing for **state, cooperative, and private ownership** as per law. **Article 14** mandates the **emancipation of peasants and workers**, while **Article 15** outlines the **basic necessities** the State must ensure—food, clothing, shelter, education, and medical care—along with the **right to work, rest, and social security**. **Article 16** discusses the **development of rural areas** through planned transformation. **Article 17** guarantees **free and compulsory education**, and **Article 18** focuses on **public health and nutrition**, with restrictions on intoxicants and prostitution. **Article 18A**, inserted later, mandates **environmental protection and biodiversity conservation**. **Articles 19 and 20** promote **equality of opportunity** and emphasize **work as a duty and honor**. The **separation of the judiciary from the executive** is guaranteed under **Article 22**, and **Articles 23 and 23A** preserve **national culture and indigenous communities**. Finally, **Article 25** guides the State's conduct in **international relations**, advocating for peace, non-interference, and support for oppressed peoples.

Part III: Fundamental Rights (Articles 26–47A)

The rights and freedoms of citizens are enshrined in **Part III**, beginning with **Article 26**, which nullifies any existing or future law that contradicts fundamental rights. **Article 27** guarantees **equality before the law**, and **Article 28** prohibits discrimination based on religion, race, caste, sex, or place of birth. It also ensures **equal rights for women** in all spheres. **Article 29** reinforces **equal opportunity in public employment**. **Article 30** prohibits accepting foreign titles or honors without the President's permission. **Article 31** affirms the **right to protection of the law**, and **Article 32** protects **life and personal liberty**. **Article 33** ensures procedural safeguards during **arrest or detention**, while **Article 34** prohibits **forced labor**, except as punishment or civic duty. **Article 35** provides for **protection in trial**—no ex post facto laws, double jeopardy, self-incrimination, or cruel punishments. **Articles 36 to 38** affirm **freedom of movement, assembly, and**

association, subject to reasonable restrictions. **Article 39** guarantees **freedom of thought, conscience, and speech**, while **Articles 40 and 41** secure **freedom of profession and religion**. **Article 42** safeguards the **right to property**, with laws for acquisition requiring compensation. **Article 43** provides **privacy in home and correspondence**, and **Article 44**, together with **Article 102**, empowers the High Court to enforce these rights. However, **Article 45** limits rights in disciplinary forces, and **Articles 46 and 47** allow exceptions for indemnity laws and national interest. **Article 47A** further exempts application of certain rights to individuals accused of war crimes or crimes against humanity.

Part IV: The Executive (Articles 48–58)

Under **Articles 48 to 58**, the **President of Bangladesh** is the Head of State, elected by members of Parliament. According to **Article 48**, the President largely acts on the advice of the **Prime Minister**, except in matters like appointing the Prime Minister and Chief Justice. The **Cabinet**, led by the Prime Minister, exercises executive powers as per **Article 55** and is accountable to Parliament. The President enjoys **immunity** during the term (**Article 51**) but can be **impeached** by a two-thirds majority in Parliament (**Article 52**). The **Attorney General**, under **Article 64**, represents the state in legal matters.

Part V: The Legislature (Articles 59–90)

Articles 59 to 90 establish the **Parliament (Jatiya Sangsad)** as the unicameral legislative body, empowered to enact laws. **Article 65** specifies 300 directly elected members and 50 reserved seats for women until 2043, as amended in the **Seventeenth Amendment**. **Articles 66 to 70** define qualifications, disqualifications, and procedures for membership. **Article 70** bars floor crossing. **Articles 72 to 76** regulate sessions, quorum, and committee procedures. Parliament's authority to legislate and supervise the executive is reaffirmed through standing committees and privileges. **Article 77** allows for an **Ombudsman**, although it remains unimplemented.

Part VI: The Judiciary (Articles 94–116A)

The **Supreme Court**, as outlined in **Articles 94 to 116A**, consists of the **Appellate Division** and the **High Court Division**, with the **Chief Justice** at its helm. Judges are appointed by the President and serve until the age of 67. The judiciary is independent under **Article 94(4)** and has the power to enforce fundamental rights under **Article 102**. The **Appellate**

Division handles appeals, while the **High Court Division** handles constitutional matters. Subordinate courts are created by law, with administrative tribunals for service-related cases under **Article 117**.

Part VII: Elections (Articles 118–126)

Articles 118 to 126 provide for an independent **Election Commission**, consisting of a Chief Election Commissioner and other Commissioners, responsible for conducting presidential and parliamentary elections. Electoral rolls and delimitation of constituencies are also their responsibility. The **executive** is obligated to assist the Commission, and the **validity of elections** cannot be challenged in court as per **Article 125**.

Part VIII: Comptroller and Auditor-General (Articles 127–132)

Under **Articles 127 to 132**, the **Comptroller and Auditor-General (CAG)** audits all public accounts and submits reports to Parliament. The CAG is appointed by the President and cannot be removed except in the same manner as a judge of the Supreme Court.

Part IX: Services of Bangladesh (Articles 133–141A)

Articles 133 to 141A govern the public service structure. The President regulates appointments and service conditions. **Public Service Commissions**, established under **Article 137**, advise on recruitment, and their annual reports are submitted to Parliament.

Part IXA: Emergency Provisions (Articles 141A–141C)

During national emergencies, **Articles 141A to 141C** empower the President to suspend certain rights and enact laws beyond constitutional limits, subject to parliamentary approval and counter-signature from the Prime Minister. However, such laws expire unless re-affirmed.

Part X–XI: Amendment and Miscellaneous (Articles 142–153)

Article 142 outlines the procedure for **amending the Constitution**, requiring a two-thirds majority in Parliament. **Articles 143 to 153** contain miscellaneous provisions about government property, legal proceedings, salaries, oaths, and transitional matters. **Article**

150 safeguards historic proclamations and legal continuity, while the **authentic text** of the Constitution is confirmed in **Article 153**, giving precedence to the Bengali version in case of conflict.