

## Features of the Constitution (1972) of Bangladesh

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- Written constitution - the constitution of People's Republic of Bangladesh is a written document. It was formally adopted by the Constituent Assembly on 4<sup>th</sup> November 1972. It contains 1 preamble, 153 articles and 4 schedules.
- Rigid constitution - the constitution of Bangladesh is rigid in nature. An amendment can be passed only by the votes of two third majority of members of the Parliament.
- Unitary government - Bangladesh is comparatively a small Nation. According to Article 1 of the Constitution, Bangladesh is described as a unitary People's Republic. In such a system, the sovereign authority of the entire nation lies with the central government.
- Constitutional head - according to the constitution, the President holds a very high position, yet he is only a nominal or titular or constitutional head. He is elected by the members of the House of the Nation. He is elected for a period of 5 years. He can be re-elected as well. If he wishes to resign he needs to submit his resignation letter to the House of the Nation.
- Prime Minister - Bangladesh has a Parliamentary form of Government. Here the government is run by the cabinet of ministers headed by the Prime Minister. The real executive power is exercised by the cabinet, headed by the prime Minister. Here the Prime Minister is the actual head. He enjoys the sole authority of running the government. Other ministers are appointed on the recommendation of the Prime Minister. He is elected for a term of 5 years. However if he loses the confidence in the House, then he has to resign, which leads to the collapse of the entire government.

- Unicameral legislature - Article 55 of the constitution provides for a unicameral legislature for Bangladesh. It has only one House which is known as the House of the Nation or Jatiya Sansad. Initially it had 315 seats, however at present it has around 350 seats.
- Sovereignty of the people - the constitution of Bangladesh treats the people as a source of all authority. People have the right to select their own government through the process of voting. The government remains responsible and accountable to the people for all its acts.
- Fundamental Rights - Part 3 of the Constitution of Bangladesh enumerates 18 fundamental rights for the people of Bangladesh. The enjoyment and enforcement of these rights have been guaranteed by the constitution. No authority can make any law which is inconsistent with the provisions of the fundamental rights and if any such law is made, then it shall be void to the extent of inconsistency. Some of the major fundamental rights enjoyed by the people are freedom of speech and opinion, freedom of thought, right to religion, right to property, etc. The constitution also specifies that necessary restrictions can be imposed on such rights as and when required.
- Independence of the judiciary - the constitution of 1972 ensures the independence of the Judiciary. Firstly, provision was made that the Chief Justice would be appointed by the President, and other Justices of the Supreme Court would be appointed after consultation with the Chief Justice. Appointment of Subordinate Judges and Magistrates was also to be exercised with consultation of the Supreme Court. Secondly, a judge could not be removed from his office except by an order of the President passed to a resolution of Parliament supported by the two-third majority of

members of the Parliament. Again, the security of tenure of the Subordinate Judges was vested in the Supreme Court.

- Supreme Court - The Supreme Court is the highest court (or the court of highest order) in Bangladesh. It is the guardian and protector of the Constitution as well as the protector of the fundamental rights enjoyed by the people. The area of jurisdiction of the Supreme Court is divided into three categories - original jurisdiction, appellate jurisdiction and writ jurisdiction.
- Universal Adult Franchise - the system of Universal Adult Franchise is operational in Bangladesh. All citizens of 18 years and above have the right to vote irrespective of their caste, creed, colour, sex, religion, etc. Apart from that, the main idea followed in Bangladesh is one vote one policy.
- Local administration - the local administration of Bangladesh is divided into a number of levels. Here the district is divided into sub districts, the Sub District is divided into blocks, the blocks are further divided into rural governments and rural councils.
- Party system - at the time of independence of Bangladesh, there were a few political parties. However, at present Bangladesh has a multi party system at work.