

**¹THE BIDI MANUFACTURE (PROHIBITION)
ORDINANCE, 1975**

ORDINANCE NO. LVII OF 1975

[20th December, 1975]

An Ordinance to prohibit manufacture of bidi in Bangladesh.

WHEREAS it is expedient to prohibit manufacture of bidi in Bangladesh and to provide for matters ancillary thereto;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975, and 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

1. This Ordinance may be called the Bidi Manufacture (Prohibition) Ordinance, 1975. Short title

2. In this Ordinance, unless there is anything repugnant in the subject or context,- Definitions

(a) “bidi” means a small cylinder of cut tobacco rolled for smoking in kumbhi leaf, tendu leaf or leaf of any other plant but does not include cut tobacco rolled in paper;

(b) “kumbhi leaf” means the leaf used for manufacture of bidi and is commonly known as kumbhi leaf;

(c) “tendu leaf” means the leaf used for the manufacture of bidi and is commonly known as tendu leaf.

3. No person in Bangladesh shall, after the commencement of this Ordinance,- Bidi
manufacture
prohibited, etc.

(a) manufacture bidi or engage in any trade or occupation involving or connected with the manufacture of bidi; or

¹ The Ordinance was declared void and non est by the Appellate Division of the Supreme Court of Bangladesh in Civil Petition for leave to Appeal Numbers 1044 and 1045 of 2009 and subsequently the Ordinance has been made effective as an Act of Parliament by ১৯৭৫ সালের ১৫ আগস্ট হইতে ১৯৭৯ সালের ৯ এপ্রিল তারিখ পর্যন্ত সময়ের মধ্যে জারীকৃত কতিপয় অধ্যাদেশ কার্যকরণ (বিশেষ বিধান) আইন, ২০১৩ (২০১৩ সনের ০৬ নং আইন), ধারা ৪।

- (b) cultivate, grow or tend kumbhi leaf or tendu leaf; or
- (c) store or otherwise keep in his possession or custody, for any purpose whatsoever, any bidi or kumbhi leaf or tendu leaf.

Certain
transactions
annulled

4. All contracts, agreements or other commercial arrangements for manufacture, sale or other transaction in relation to bidi, and all leases of lands, contracts and other agreements for the cultivation, growing and tending of kumbhi leaf, entered into or made before the commencement of this Ordinance, shall, notwithstanding anything contained in any law for the time being in force, stand annulled, and no claim for any compensation shall lie for any loss due to such annulment.

Penalty

5. (1) Whoever contravenes any provision of this Ordinance shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand taka, or with both.

(2) Where a person is convicted of an offence punishable under sub-section (1), the court passing the sentence may direct that the bidi, kumbhi leaf or tendu leaf in respect of which the provision of this Ordinance has been contravened be forfeited to the Government and destroyed by fire.

(3) If the person contravening any provision of this Ordinance is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised due diligence to prevent such contravention, be deemed to be guilty of such contravention.
