

Bangladesh



Gazette

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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LABOUR AND MANPOWER

(Labour and Manpower Division)

Section-VI

NOTIFICATION

Dhaka, the 16th January 1984

No. SRO 16-L/84/SVI/PEPF-9/83/65.—In exercise of the powers conferred by sub-section (1) of section 12 of the Plantation Employees' Provident Fund Ordinance, 1959 (E. P. Ord. XXXI of 1959), the Government is pleased to reconstitute the Board of Trustees for the Plantation Employees' Provident Fund with the following persons, namely:—

(1) Director of Labour, Bangladesh .. Chairman

Employers' representatives:

(2) Mr Syed Abid Hossain,
Managing Director,
National Tea Company Limited,
Ullah Mansion (1st Floor),
17, Kakrail Road, Dhaka.

(3) Mr A. Rouf,
Deputy General Manager,
Lungla (Sylhet) Tea Company Limited,
2, Dilkusa Commercial Area,
Dhaka.

(275)

Price : Taka 1-00

Employees' representatives:

- (4) Mr Rajendra Proshad Boonarjee,
Advisor,
Bangladesh Cha Sramik Union,
Labour House, P.O. Sreemongal,
Sylhet.
- (5) Mr M. A. Matin,
President,
Bangladesh Tea Estates Staff Association,
Guha Road, P.O. Sreemongal, Sylhet.

Independent persons:

- (6) Mr Aminur Rahman Chowdhury,
Executive Director,
Bangladesh Bank, Dhaka.
- (7) Mr M. A. Quddus,
Associate Professor,
Department of Marketing,
University of Dhaka
and
Director, Bureau of Business Research,
University of Dhaka.

By order of the President

A. K. MORAL
Deputy Secretary.

MINISTRY OF ESTABLISHMENT AND REORGANISATION

IT Section

NOTIFICATION

Dhaka, the 18th January 1984

No. S.R.O. 18-L/84.—In pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the President is pleased to make the following rules, namely:—

THE OFFICERS AND EMPLOYEES (PUBLIC ADMINISTRATION TRAINING COMPLEX—PROJECT OFFICE) RECRUITMENT RULES, 1984

1. **Short title.**—These rules may be called the Officers and Employees (Public Administration Training Complex—Project Office) Recruitment Rules, 1984.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context:—

- (a) “appointing authority” means the Government and includes, in relation to any specified post or class of such posts, Project Director or any officer authorised by the Government to make appointment to such post or class of posts;

- (b) "Commission" means the Bangladesh Public Service Commission;
- (c) "Departmental Selection Committee" means the Committee constituted by the Government for selection of candidates for appointment to a specified post;
- (d) "probationer" means a person appointed on probation to a specified post;
- (e) "recognised Board" means a Board of Intermediate and Secondary Education established by or under any law for the time being in force and includes any other Board declared by the Government to be a recognised Board for the purposes of these rules;
- (f) "recognised University" means a University established by or under any law for the time being in force and include any other University declared by the Government to be a recognised University for the purposes of these rules;
- (g) "requisite qualification", in relation to a specified post, means the qualification laid down in the Schedule in relation to that post;
- (h) "Schedule" means the Schedule annexed to these rules; and
- (i) "specified post" means a post specified in the Schedule.

3. **Procedure for recruitment.**—(1) Subject to the provision of the Schedule, appointment to a specified post shall be made by the appointing authority:—

- (a) by direct recruitment;
- (b) by promotion; or
- (c) by transfer on deputation.

(2) No person shall be appointed to a specified post unless he has the requisite qualification and, in the case of direct recruitment, he is also within the age limit laid down in the Schedule for the post.

4. **Appointment by direct recruitment.**—(1) No appointment to a specified post by direct recruitment shall be made by the appointing authority except upon the recommendation of the Commission.

(2) No person shall be eligible for appointment to a specified post by direct recruitment, if he—

- (a) is not a citizen or a permanent resident of or domiciled in Bangladesh; or
- (b) is married to or has entered into a promise of marriage with a person who is not a citizen of Bangladesh.

(3) No appointment to a specified post by direct recruitment shall be made until—

- (a) the person selected for appointment is certified by a medical Board set up for the purpose by the Director General of Health Services or, as the case may be, by a medical officer duly authorised by the Government in this behalf that he is medically fit for such appointment and that he does not suffer from any such organic defect as is likely to interfere with the discharge of the duties of the specified post; and
- (b) the antecedents of the person so selected have been verified through appropriate agencies and found to be such as do not render him unfit for appointment in the service of the Republic.

(4) No person shall be recommended for appointment to a specified post unless—

- (a) he applied in such form accompanied by such fee and before such date as was notified by the Commission while inviting application for that post; and
- (b) in the case of a person already in Government service or in the service of a local authority, he applied through his official superior.

5. Appointment by promotion.—(1) Appointment by promotion to a specified post shall be made by the appointing authority on the recommendation of the Departmental Selection Committee :

Provided that appointment by promotion to a specified post of higher class shall be made on the recommendation of the Commission.

(2) A person shall not be eligible for appointment by promotion to a specified post if he has unsatisfactory records of service.

6. Probation.—(1) Persons selected otherwise than by transfer on deputation for appointment to a specified post against a substantive vacancy shall be appointed on probation,—

- (a) in the case of direct recruitment, for a period of two years from the date of substantive appointment; and
- (b) in the case of promotion, for a period of one year from the date of such appointment :

Provided that the appointing authority may, for reasons to be recorded in writing, extend the period of probation by a period or periods so that the extended period does not exceed two years in the aggregate.

(2) Where, during the period of probation of a probationer, the appointing authority is of opinion that his conduct and work is unsatisfactory or that he is not likely to become efficient, it may, before the expiry of that period;—

- (a) in the case of direct recruitment, terminate his service, and
- (b) in the case of promotion, revert him to the post from which he was promoted.

(3) After the completion of the period of probation including the extended period, if any, the appointing authority,—

- (a) if it is satisfied that the conduct and work of the probationer during his period of probation has been satisfactory, shall subject to the provisions of sub-rule (4), confirm him; and
- (b) if it is of opinion that the conduct and work of the probationer during that period was not satisfactory, may;—
 - (i) in the case of direct recruitment, terminate his service, and
 - (ii) in the case of promotion, revert him to the post from which he was promoted.

(4) A probationer shall not be confirmed in a specified post until he has passed such examination and undergone such training as the Government may, from time to time, prescribe by order.

SCHEDULE

Sl. No.	Name of the specified post.	Age limit for direct recruitment.	Method of recruitment.	Requisite qualification.
1	2	3	4	5
1	Project Director	...	By promotion from amongst the Deputy Project Directors and, if none is found suitable for promotion, by transfer on deputation of an officer of equivalent rank belonging to any cadre or sub-cadre of the Bangladesh Civil Service.	<i>For Promotion.</i> —At least 8 years' experience as Deputy Project Director.
2	Deputy Project Director (Administration).	Not exceeding 45 years, relaxable in case of experienced and qualified candidates.	By direct recruitment or by transfer on deputation of an officer of equivalent rank belonging to any cadre or sub-cadre of the Bangladesh Civil Service or by promotion of any Class-I officer.	<i>For direct recruitment.</i> —Master degree with sufficient experience in preparation, implementation and monitoring of development projects, especially in project administration and financing.
				<i>For Promotion.</i> —Master degree with sufficient experience in project administration, management and financing, and sufficient knowledge of Service Rules, Financial Rules and Regulations and general conditions of service.

- 3 Deputy Project Director (Byvaluation). Not exceeding 45 years, relaxable in case of experienced and qualified candidates. By direct recruitment or by transfer on deputation of an officer of equivalent rank belonging to any cadre or sub-cadre of the Bangladesh Civil Service or by promotion of any Class-I officer.
- 4 Project Engineer (Executive Engineer) .. By transfer on deputation of an officer holding equivalent post in any Government Office.
- 5 Evaluation Officer Not exceeding 35 years, relaxable in case of candidates having higher qualification and experience in the field.
- 6 Accounts Officer Not exceeding 27 years, relaxable up to 35 years in case of candidates with experience in the field.
- For direct recruitment.*—Master degree with Honours preferably in Statistics from a recognised University with sufficient experience in preparation, implementation and monitoring and evaluation of development projects.
- For promotion.*—Master degree with experience in project management, especially in evaluation work of a development project.
- For direct recruitment.*—Master degree with Honours in Statistics or Economics from a recognised University with experience in research and evaluation work.
- For direct recruitment.*—Master degree with Honours in any branch of Commerce from a recognised University or Bachelor degree in any branch of Commerce from recognised University with at least 8 years' experience in accounts work in any Government office or autonomous organisation.

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| 7 | Procurement Officer | Not exceeding 35 years' relaxable in case of experience candidates. | By direct recruitment or by transfer on deputation of a Government officer of equivalent rank. | <i>For direct recruitment.</i> —Bachelor degree, preferably in Mechanical or Electrical Engineering from a recognised University. |
| 8 | Technical Assistant and Training Co-ordinator. | Not exceeding 35 years, relaxable in case of higher qualified and experienced candidates. | By direct recruitment or by transfer on deputation of a Government officer of equivalent rank. | <i>For direct recruitment.</i> —Master degree in Public Administration or Sociology from a recognised University with at least 5 years' experience in a project having technical assistance programme. |
| 9 | Administrative Officer | Not exceeding 27 years, relaxable in case of experienced candidates. | By promotion from amongst the Upper Division Assistants, Stenographers or Personal Assistants and, if none is found suitable for promotion, by direct recruitment or by transfer on deputation of a Government officer of equivalent rank. | <i>For promotion.</i> —At least 5 years' experience as Upper Division Assistant, Stenographer or Personal Assistant in the Public Administration Training Complex. |
| 10 | Accountant | Ditto | By direct recruitment or by promotion from amongst the Accounts Clerk or Accounts Assistant, or by transfer on deputation of a Government officer holding equivalent posts. | <i>For direct recruitment.</i> —Bachelor degree from a recognised University with at least 3 years' experience in administrative work in any Government office.

<i>For Promotion.</i> —At least 5 years' experience as Assistant Accountant or Accounts Clerk in the Public Administration Training Complex. |

For direct recruitment.—Bachelor degree in Commerce from a recognised University with at least 3 years' experience in a Government office or an autonomous or Organisation.

For promotion.—At least 5 years' experience as Lower Division Assistant, Accounts Clerk or a Typist in the Public Administration Training Complex.

By direct recruitment or by promotion from amongst the Lower Division Assistants, Accounts Clerk or Typists, or by transfer on deputation of a Government officer holding equivalent posts.

11 Upper Division Assistant. Not exceeding 27 years, relaxable in case of experienced candidates.

For direct recruitment.—Higher Secondary Certificate Examination passed from a recognised Board with 5 years' experience in a Government or an autonomous organisation.

By order of the President

MD. NURUL ISLAM

Deputy Secretary.

MINISTRY OF AGRICULTURE

Irrigation, Water Development and Flood Control Division

NOTIFICATION

Dhaka, the 18th January 1984

No. S.R.O. 19-L/84.—In exercise of the powers conferred by section 15 of the Bangladesh Irrigation Water Rate Ordinance, 1983 (XXXI of 1983), and in supersession of all existing rules in this behalf, the Government is pleased to make the following rules, namely:—

THE BANGLADESH IRRIGATION WATER RATES RULES, 1984

1. **Short title.**—These rules may be called the Bangladesh Irrigation Water Rate Rules, 1984.

2. **Definitions.**—(1) In these rules, unless there is anything repugnant in the subject or context;—

- (a) “Authority” means the Board or, as the case may be, the Corporation;
- (b) “assessee” means a person by whom the water rate is payable;
- (c) “assessing authority” means the Executive Engineer-in-charge of a Division under the Authority within whose jurisdiction the land concerned is situated;
- (d) “bulk supply” means any volume of canal water that may be supplied for storage or for creating reservoir of water;
- (e) “crop season” means—
 - (i) kharif-I (March to June);
 - (ii) kharif-II (July to October);
 - (iii) Rabi (November to February);
- (f) “Ordinance” means the Bangladesh Irrigation Water Rate Ordinance, 1983 (XXXI of 1983); and
- (g) “section” means a section of the Ordinance.

(2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Ordinance.

3. **Preliminary report.**—Where the Authority is of the opinion that water rate may be imposed on the owners or occupiers of land situated within any area on account of water being supplied or regulated or intended to be supplied or regulated therein for irrigation, the Authority shall submit to the Government a report containing the full description of the area together with an index map on such scale as may be required and the water rate per acre sought to be imposed.

4. **Publication of notification and publicity.**—(1) If the Government is satisfied with the report submitted under rule 3 that land in the area are benefitted or likely to be benefitted by irrigation water supplied or regulated by the Authority, it may issue notification under section 4(1) and copies thereof shall be affixed to the notice Board of each Union Parishad and Tahsil Kachari within the local limits of which any portion of the area so notified is situated; and the contents of the notification shall be announced by beat of drums in every hat or bazar within which or adjacent to which any part of the notified area falls.

(2) The fact of notification issued under section 4(3)(b) shall also be given publicity in the same manner specified in sub-rule (1).

5. **Preliminary assessment.**—Upon the issue of the notification under section 4(3)(b), the assessing authority shall, subject to such instructions as may be given by the Government by notification in the official Gazette, make a preliminary assessment of the water rate including rate for bulk supply payable by the owner or occupiers of all lands included in the notified area for each crop season as per schedule of such rate notified in such manner as the Government may direct.

6. **Notice of preliminary assessment.**—(1) After the preliminary assessment of water rate has been made, the assessing authority shall inform all persons by public notice affixed in conspicuous places and also give publicity of the fact of preliminary assessment by beat of drums in all hats and bazar in the area concerned.

(2) Copies of the preliminary assessment list shall remain open for public inspection free of charge in such office or place as the assessing authority may notify in this behalf within the local limits of the area for which assessment has been made for such period as may be fixed by the assessing authority.

(3) Any person interested in any land likely to be affected by the imposition of the water rate may prefer objection in such form as may be determined by the Government within the period specified in the public notice issued under section 7(1).

7. **Hearing of objections.**—(1) Before proceeding to hear objections received under section 7(2), the assessing authority shall give notice to the Authority and also to the objector.

(2) Objections shall not be disposed of in the absence of the parties materially interested or their representatives unless the assessing authority is satisfied for reasons to be recorded in writing that the notice was duly served on the persons concerned.

The Authority shall, in respect of every notified area, nominate in writing one or more of its employees by designation to represent it at the hearing of objections, and where such a person has been nominated, notice of hearing may only be given to him.

(3) The assessing authority may conduct such further enquiry as it considers necessary to ascertain any fact which it considers relevant for deciding objections.

8. **Notice of demand.**—(1) After the final assessment of the water rate payable by an assessee has been made, the assessing authority shall send a duly authenticated copy of it to the Deputy Commissioner.

(2) The Deputy Commissioner or any officer authorised by him shall cause to be served on the assessee, in the manner specified in rule 9, a notice of demand in such form as the Government may specify, allowing him some grace period as specified in the notice to pay the amount mentioned in the notice of demand.

9. **Manner of service of notice of demand.**—(1) A notice of demand under rule 8 shall be sent to the assessee by registered post with acknowledgment due or through a serving official.

(2) When the notice is served through a serving official, the following procedure shall apply, namely:—

- (a) where practicable, notice shall be served on the assessee personally or on their duly authorised agents, if any;
- (b) where an assessee cannot be found and has no agent empowered to accept the notice on his behalf, the notice may be delivered to any adult member of his family residing with him, other than a domestic servant;
- (c) where the serving official delivers or tenders a copy of the notice to the assessee personally or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered as an acknowledgment of service endorsed on the original notice;
- (d) where the assessee or his agent, or such other person as aforesaid, refuses to sign the acknowledgment, or where the serving official, after due diligence, cannot find the assessee, and there is no agent empowered to accept service of the notice on his behalf nor any other person on whom service can be made, the serving official shall affix a copy of the notice to the outer door or some other conspicuous part of the house in which the assessee ordinarily resides or carries on business or personally works for gain or was known to have last resided and shall, then return the original to the authority by whom it was issued, with a report endorsed thereon or annexed thereto stating that he has so affixed the copy, the circumstances under which he did so, and the name and address of the person by whom the house was identified and in whose presence the copy was affixed;
- (e) the serving official, shall, in all cases in which the notice has been served under clause (c), endorse or annex to the original notice, a return stating the date when and the manner in which the notice was served, and the name and address of the person identifying the person served and witnessing the delivery or tender of the notice.

10. **Rebate.**—There shall be allowed a rebate of water rate @ 20% of the rate payable if the payment is made within a period of 30 days from the date the rate becomes due:

Provided that the rebate shall be reduced to 10% if the payment is made within a period of 45 days.

11. **Interest for default.**—(1) In the case of any default on the part of the assessee in making payment of water rate, the defaulter shall be liable to an interest @ 15% of the water rate for payment after the due date including the grace period specified in rule 10.

(2) In case of any default for making payment of water rate of a particular crop-season before the next same crop-season commences, the assessing authority may, without any previous notice, stop the supply or regulation of water in the land of the defaulter and for that reason, no loss or compensation can be

claimed for the damage, if any, of any crop that may remain standing in such field at the time of such stoppage.

12. **Collection of water rate.**—(1) A water rate shall be collected by such officer and employee of the Board authorised for the purpose or by such person or group of person as the Board, after obtaining previous approval of the Government, considers it expedient for such collection.

(2) The Government may determine the remuneration to be paid for collection of water rate by any person or group of persons who is not an officer or employee of the Board.

13. **Mode of payment.**—(1) All payments under the Ordinance shall be made either into a Government treasury or in a bank authorised by the Government in this behalf and shall be kept under the head of account "53—Irrigation, Navigation, etc."

(2) The Government treasury or the authorised Bank receiving payment under sub-rule (1) shall issue an acknowledgment of payment.

14. **Appellate authority.**—The appellate authority for the purpose of section 8, 9 and 10 shall be the Commissioner of the administrative Division concerned.

Explanation.—For the purpose of this rule, "Commissioner" includes an Additional Commissioner.

15. **Procedure for appeal.**—An appeal presented under sections 8, 9 and 10 shall be accompanied by the order imposing the penalty in original and a copy thereof. It may either be presented by the person on whom the penalty has been imposed or his agent to the appellate authority or may be sent to that authority so as to reach on or before the due date *i.e.* within thirty days from the date of receipt of the order of penalty.

16. **Procedure for hearing appeals.**—On receiving an appeal under sections 8, 9 and 10, the appellate authority shall conduct such enquiry as it considers necessary, and may, if it thinks fit, call for the original records of the case imposing the penalty. It may also make a local inspection of the site of construction, obstruction, unauthorised use, etc., under sections 8, 9 and 10 and, after giving the appellant an opportunity of being heard, it shall pass orders either rejecting the appeal or allowing it wholly or in part.

17. **Fee for appeal.**—The appeal under these rules shall be made in the form appended to these rules and shall be accompanied by a treasury challan of taka ten to be deposited in the head of account "53—Irrigation, Navigation, etc."

Form for Appeal against penalty under sections 8, 9 and 10

(see rule 17)

Appeal No.....Crop Season.....

Crop Year....., Name of mauza....., J.L.No.....

Upazila/Thana..... District.....

1. Name of the appellant with husband/
father's name and address :

2. Particulars of authority who imposed
the penalty:

3. Particulars of penalty with number and date.	Date of receipt of order of penalty.	Reason for appeal.
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.....(1).....(2).....(3).....

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Signature of appellant or Agent.

By order of the President
AKBAR ALI KHAN
Joint Secretary.