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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF LOCAL GOVERNMENT, RURAL DEVELOPMENT AND  
CO-OPERATIVES

Local Government Division

Section-XI

NOTIFICATION

Dhaka, the 19th February 1984

No. S.R.O. 67-L/84/S-XI/3R-4/84/30.—In exercise of the powers conferred by section 83 of the Local Government (Union Parishads) Ordinance, 1983 (LI of 1983), and in supersession of the Union Parishad Members and Chairman (Resignation, Removal and Vacation of Office) Rules, 1979, the Government is pleased to make the following rules, namely:—

THE UNION PARISHAD CHAIRMAN AND MEMBERS  
(RESIGNATION, REMOVAL AND VACATION OF OFFICE) RULES, 1984.

1. **Short title.**—These rules may be called the Union Parishad Chairman and Members (Resignation, Removal and Vacation of Office) Rules, 1984.

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

- (a) "Authorised Officer" means an Officer authorised by the Upazila Nirbahi Officer or the Subdivisional Officer, at the case may be; and
- (b) "Ordinance" means the Local Government (Union Parishads) Ordinance, 1983 (LI of 1983).

3. **Resignation of Chairman and member.**—(1) On receipt of notice of resignation from a member, the Chairman shall, within seven days of its receipt, report the fact of such resignation alongwith a copy of the notice of resignation to the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be.

(2) On receipt of information of resignation of a member under sub-rule (1) or notice of resignation of Chairman, the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, shall within fifteen days of receipt of such information or resignation, notify the vacation of office of the member or Chairman in the official Gazette.

4. **Manner of calling special meeting.**—For the purpose of removal of a Chairman or an elected member on any ground mentioned in sub-section (1) of section 12 of the Ordinance, a requisition stating the grounds for removal signed by not less than one-half of the total number of elected members including the Chairman shall be presented to the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, for convening a special meeting as required by sub-section (2) of section 12 of the Ordinance.

5. **Show cause notice.**—(1) The Authorised Officer shall, within a period of three days from the date of receipt of the requisition from the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, serve a notice with a copy of the requisition on the elected member concerned or, as the case may be, the Chairman to show cause in writing, within a period of seven days from the date of the receipt of the notice, why a resolution removing him from the office shall not be passed in a special meeting of the Union Parishad.

(2) A copy of the show cause notice referred to in sub-rule (1) shall be served on all other elected members including the Chairman for information.

6. **Time and place of special meeting.**—(1) The Authorised Officer shall, within a period of fifteen days after the expiry of the period allowed for showing cause, convene the special meeting.

(2) Subject to the provisions of sub-rule (1), the special meeting shall be held in the office of the Union Parishad concerned or in such other place as the Authorised Officer may decide in this behalf on such date and at such time as may be specified in the notice of special meeting.

(3) A copy of the notice specifying the date, time and place of the special meeting shall be served on all the elected members including the Chairman at least seventy-two hours prior to the time of holding such meeting.

(4) The special meeting shall be presided over by the Authorised Officer.

7. **Deferred special meeting.**—If for any reason beyond the control of the Authorised Officer, the special meeting could not be held on the date and time fixed for the purpose, the Authorised Officer shall, in consultation with the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, convene the special meeting on such other date and such other time as may be fixed in this behalf:

Provided that the date of the special meeting shall be fixed within the period not beyond thirty days from the date of the previous meeting.

8. **Passing of resolution.**—No resolution removing an elected member or Chairman shall be passed or shall be deemed to have been passed unless seven elected members including the Chairman vote for the resolution.

9. **Consideration of explanation.**—(1) Before passing a resolution, the written explanation, if any, submitted by the elected member or the Chairman concerned, shall be considered or, in case there is no written explanation, he will be heard in person and the verbal explanation, if any, shall be recorded by the Authorised Officer.

(2) If the elected member or the Chairman concerned does not like to be heard in person or has not submitted any written explanation or is not present in the special meeting, the Authorised Officer shall go on with the proceedings.

10. **Manner of voting.**—(1) On completion of the proceedings under rule 9, the Authorised Officer shall hand over to each elected member including the Chairman present a voting paper in the form specified in the Schedule appended to these rules and shall ask each elected member including the Chairman in turn to record his vote by an appropriate mark in the space provided for the purpose in the voting paper at a table so placed that no other person can see the recording.

(2) Before handing over the voting paper to each elected member including the Chairman, the Authorised Officer shall sign on the reverse of the voting paper to ensure its genuineness.

(3) If any elected member or the Chairman spoils inadvertently a voting paper, he shall be supplied with a duplicate voting paper on request.

(4) For signifying the vote in favour of the resolution, an elected member or the Chairman shall put a cross mark (×) in the space meant for it and for signifying vote against the resolution a tick mark (√) shall be put in the space meant for it.

(5) After recording his vote, each elected member including the Chairman shall fold the voting paper and return it to the Authorised Officer.

(6) As soon as all the voting papers have been received by the Authorised Officer, he shall count the number of elected members including the Chairman who have recorded cross mark (×) and those who have recorded tick mark (√) and shall forthwith declare the result of such counting and record a note to this effect.

(7) If the number of elected members including the Chairman recording cross mark (×) is not less than seven elected members of the Union Parishad concerned, the resolution shall be deemed to have been passed.

11. **Submission of resolution to Government.**—The Authorised Officer shall, within three days from the date of passing of the resolution, forward a copy of the resolution along with a copy of the statement of proceedings, written explanation or verbal explanation, if any, of the elected member or the Chairman concerned and the voting papers in a sealed cover to the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, who shall forward the same to the Government for approval.

12. **Approval of the Government.**—(1) On receipt of the copy of the resolution and other concerned documents specified in rule 11, the Government shall, within one month from the date of the receipt of the documents, either approve or disapprove the resolution; and in doing so, the Government shall satisfy itself as to the correctness of the procedure followed in the proceedings.

(2) In case of approval of the resolution removing an elected member or the Chairman, the Government shall communicate its approval to the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, who shall notify the vacancy caused by removal in the official Gazette within a period of fifteen days from the date of receipt of the approval of the resolution by the Government and shall send a copy of the notification to the Chairman or member concerned.

(3) In case of disapproval of the resolution, the reasons therefore shall be recorded therein by the Government and the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, shall be informed accordingly.

13. **Vacation of office caused by death.**—When the office of an elected member or the Chairman of a Union Parishad becomes vacant on account of death, the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, shall, within fifteen days of receipt of such information from the Union Parishad concerned, notify such vacancy in the official Gazette.

14. **Copy of notification to be sent to the Election Commission.**—A copy of each notification issued by the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, declaring vacancy in the office of an elected member or the Chairman of a Union Parishad caused by resignation, removal or death shall be sent to the Election Commission with a copy to the Government by the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be forthwith.

15. **Preservation of records.**—The records of each case of resignation, removal or vacation of office shall be preserved by the Upazila Nirbahi Officer or the Subdivisional Officer, as the case may be, for a period of one year.

16. **Motion of non-confidence against a Chairman.**—The provisions of these rules shall, *mutatis mutandis*, apply in the case of removing a Chairman by a motion of non-confidence under sub-section (3) of section 12 of the Ordinance.

SCHEDULE

[see rule 10]

Voting Paper.

To move the resolution for removal/motion of non-confidence against Mr.....an elected Member/Chairman of..... Union Parishad.

Space for voting mark.

Cross mark in favour of the resolution/motion of no-confidence.....	[X]	[ ]
Tick mark against the resolution/motion of no-confidence.....	[✓]	[ ]
Date.....		

Signature or L.T.I. of elected Member/Chairman.

By order of the President,  
A. K. AZAD  
Deputy Secretary.