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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF PUBLIC WORKS AND URBAN DEVELOPMENT

NOTIFICATION

Dacca, the 8th July, 1977.

No. S.R.O. 213-L/77-XIV/KDA/E-19/76/751.—The following draft of the Khulna Development Authority Employees' (Conduct) Rules, 1977, which it is proposed to make in exercise of the powers conferred by section 83 of the Khulna Development Authority Ordinance, 1961 (E.P. Ord. II of 1961), is hereby published as required by section 84 of the said Ordinance for information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration after the expiry of one month from the date of publication.

Any objection or suggestion which may be received from any person with respect to the said draft before the period specified will be considered by the Government.

DRAFT RULES

1. **Short title.**—(1) These rules may be called the Khulna Development Authority Employees' (Conduct) Rules, 1977.
2. **Extent of application.**—These rules apply to every person, whether on duty or leave, serving in connection with the affairs of the Authority.

(6483)

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

- (a) "Authority" means the Khulna Development Authority established under section 3 of the Khulna Development Authority Ordinance, 1961 (E.P.Ord. II of 1961);
- (b) "Chairman" means the Chairman of the Khulna Development Authority;
- (c) "employee" means an employee of the Authority;
- (d) "family" includes—
 - (i) wife, child or step child, whether residing with the employee or not; and
 - (ii) any other relative of the employee or his wife, when residing with and wholly dependent upon the employee but does not include a wife legally separated from the employee or a child or step-child who is no longer in any way dependent upon him.

4. **Gifts.**—(1) Save as otherwise provided in this rule, no employee shall, except with the previous sanction of the Authority, accept, or permit any member of his family to accept, from any person any gift the receipt of which will place him under any form of official obligation to the donor. If such offer of gift cannot be refused without giving undue offence, it may be accepted and delivered to the Authority for decision as to its disposal.

(2) If any question arises whether receipt of a gift places any employee under any form of official obligation to the donor, the decision of the Authority thereon shall be final.

(3) If any gift is offered by the head or representative of a foreign State, the employee concerned should attempt to avoid acceptance of such a gift, if he can do so without giving offence. If, however, he cannot do so he shall accept the gift and shall report its receipt to the Authority who in turn will obtain orders of the Government regarding its final disposal.

5. **Acceptance of foreign awards.**—No. employee shall, except with the approval of the Chairman, accept a foreign award, title or decoration.

Explanation.—For the purposes of this rule, the expression "approval of the Chairman" means prior approval in ordinary cases and *ex-post-facto* approval in special cases where sufficient time is not available for obtaining prior approval.

6. **Public demonstration in honour of employees.**—(1) No employee shall encourage meetings to be held in his honour or presentation of addresses of which the main purpose is to praise him or any entertainment held in his honour.

(2) Subject to the provisions of any general or special order of the Authority, an employee may attend a farewell entertainment of a substantially private and informal character held as a mark of regard to himself or to some other employee or to a person who has recently quitted the service of the Authority, or on the occasion of retirement from service.

7. **Raising of funds by an employee.**—No employee shall ask for, accept or take part in the raising of funds for any purpose whatsoever except with or under specific order of the Authority and in accordance with instructions issued by the Authority in this behalf from time to time.

8. **Gift to medical Officers.**—Subject to instructions, if any, medical officer may accept any gift of moderate value offered in good faith by any person or body of persons in recognition of his professional services.

9. **Purchase of resignation.**—An employee may not enter into any pecuniary arrangement for the resignation by one of them of any office under the Authority or the benefit of the others. If this rule is infringed, any nomination or appointment consequent upon such resignation shall be cancelled and such parties to the arrangements as are still in the service may be liable to disciplinary action.

10. **Lending and borrowing.**—(1) No employee shall lend money to, or borrow money from, or place himself under any pecuniary obligation to, any person within the local limits of his authority or any person with whom he has any official dealings:

Provided that this sub-rule shall not apply to dealings in the ordinary course of business with a joint stock company, bank or a firm of standing.

(2) When an employee is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property, or carry on business within the local limits of such authority, he shall forthwith declare the circumstances to the Authority through the usual channel.

11. **Buying and selling of valuable property, movable and immovable.**—(1) Save in the case of a transaction conducted in good faith with a regular dealer, an employee who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value of Tk. 5,000 with a person possessing immovable property or carrying on business within the local limits of the Authority shall declare his intention to the Chairman. When the employee is himself the Chairman, he shall declare his intention to the Authority. Any declaration shall state fully the circumstance, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal. Thereafter such employee shall act in accordance with such orders as may be passed by the Chairman or Authority as the case may be.

(2) Notwithstanding anything contained in sub-rule (1), an employee who is about to quit the service of the Authority may, without reference to any authority, dispose of any of his movable property by circulating lists of it generally or by causing it to be sold in public auction.

12. **Declaration of immovable property.**—(1) Every employee shall, at the time of entering Authority's service, make a declaration to the Authority, through the usual channel, of all immovable properties which may be held by him or by a member of his family dependent upon him. Such declaration shall state the district within which the property is situated and shall give such further information as the Authority may by general or special order, require.

(2) All accretions made subsequent to the declaration filed under sub-rule (1) shall be brought to the notice of the Authority, through the usual channel, within three months of such accretion.

13. **Disclosure of assets, immovable and liquid.**—An employee shall disclose all his and also of his dependents assets and all other properties immovable and movable, including shares, certificates, insurance policies, Jewellery when required to do so by the Authority.

14. **Speculation and investment.**—(1) No employee shall speculate in investments. For the purpose of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuation value shall be deemed to be speculation in investments.

(2) No employee shall make, or permit any member of his family to make, any investment likely to embarrass or influence him in the discharge of his official duties.

(3) No employee shall make any investment the value of which is likely to be affected by some event of which information is available to him as an employee and is not equally available to the general public.

(4) If any question arises whether a security or an investment is of the nature referred to in any of the foregoing sub-rules, the decision of the Authority thereon shall be final.

15. **Gambling and betting.**—No employee shall participate in gambling and betting on high stakes.

16. **Private trade or employment.**—(1) An employee may not, without the previous sanction of Authority engage in any trade or undertake any employment other than his public duties.

(2) An employee may undertake honorary work of a religious, social or charitable nature and occasional work of a literary or artistic character, provided that his public duties do not suffer thereby, but the Authority may in its discretion, at any time forbid him to undertake or require him to abandon any employment which in its opinion is undesirable

(3) An employee shall not, without the previous sanction of the Authority, permit his wife or any other relative who is residing with him, to engage in any trade in the area over which such Authority has jurisdiction.

(4) This rule shall not apply to sports activities and membership of recreation clubs.

17. **Insolvency and habitual indebtedness.**—An employee shall avoid habitual indebtedness. If an employee is adjudged or declared insolvent or if the whole of that portion of his salary which is liable to attachment is frequently attached for debt, has been continuously so attached for a period of two years, or is attached for a sum which, in ordinary circumstances, he cannot repay within period of two years, he shall be presumed to have contravened this rule unless proves that

the involvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he has no control and has not proceeded from extravagant or dissipated habits. An employee who appears to be or is adjudged or declared insolvent shall forthwith report his insolvency to the Authority.

18. **Communication of official documents or information.**—An employee shall not unless generally or specially empowered by Authority in this behalf, disclose directly or indirectly any information which has come into his possession in the course of his public duties, or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise.

19. **Radio broadcasts and communication to the press.**—No employee shall, except with the previous sanction of the Authority empowered by it in this behalf, or in the bona-fide discharge of his duties, participate in a Radio or Television broadcast or contribute any article or write any letter, either anonymously or in his own name or in the name of any person to any newspaper or periodical:

Provided that such sanction shall generally be granted if such broadcast or such contribution or letter is not, or may not be considered likely to jeopardize the integrity of the employee, the security of Bangladesh or friendly relations with foreign states or to offend public order, decency or morality, or to amount to contempt of court or defamation or incitement to an offence:

Provided further that no such sanction shall be required if such broadcast or such contribution or letter is a purely literary, artistic or scientific character or connected with sports.

20. **Taking part in politics and election.**—(1) No employee shall take part in, subscribe in aid of or assist in any way, any political movement in Bangladesh or relating to the affairs of Bangladesh.

(2) No employee shall permit any person dependent on him for maintenance or under his care or control to take part in or in any way assist, any movement or activity which is, or tends directly or indirectly to be subversive of Government as by law established in Bangladesh.

(3) No employee shall canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body:

Provided that an employee who is qualified to vote at such election may exercise his right to vote; but if he does so, he shall give no indication of the manner in which he proposes to vote or has voted.

(4) No employee shall permit any member of his family dependent on him to act in a manner in which he himself is not permitted by sub-rule (3).

(5) An employee who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purpose of sub-rule (3) to take part in any election to such body.

(6) The provisions of sub-rules (3) and (5) shall, so far as may be, apply to elections to local authorities or bodies.

(7) If any question arises whether any movement or activity falls within the scope of this rule, the decision of the authority thereon shall be final.

21. **Propagation of sectarian creeds, etc.**—No employee shall propagate such sectarian creeds or take part in such sectarian controversies or indulge in such sectarian partiality and favouritism as are likely to affect his integrity in the discharge of his duties or to embarrass the Administration or create feelings of discontent or displeasure amongst the employees in particular and amongst the people in general.

22. **Vindication by employees of their public acts or character.**—(1) An employee may not, without the previous sanction of the Authority, have recourse to any court or to the press for the vindication of his public acts or character from defamatory attacks. In granting sanction, the Authority will ordinarily bear the cost of the proceedings and in other cases leave the employee to institute them at his own expense. In the latter case, if he obtains a decision in his favour, the Authority may reimburse him to the extent of the whole or any part of the cost.

23. **Membership of service association.**—No employee shall be a member, representative or Officer of any association representing or purporting to represent employees or any class of employees unless such association satisfies the following conditions, namely,—

(a) Membership of the association and its office bearers shall be confined to a distinct class of employees and shall be open to all employees of that class.

(b) The association shall not be in any way connected with any political party or organisation, or engage in any political activity.

(c) The association shall not—

(i) issue or maintain any periodical publication except in accordance with any general or special order of the Authority;

(ii) except with the previous sanction of the authority, publish any representation on behalf of its members, whether in the press or otherwise.

(d) The association shall not, in respect of any election to a legislative body, or to a local authority or body—

(i) pay, or contribute towards, any expenses incurred in connection with an election;

(ii) by any means support the candidature of any person for such election; or

(iii) undertake or assist in the registration of electors, or the selection of a candidate for such election.

24. **Use of political or other influence.**—No employee shall bring or attempt to bring political or other outside influence, directly or indirectly, to bear on the authority or any employee in support of any claim arising in connection with his employment as such.

25. **Contravention of rules.**—Contravention of any of these rules shall be construed as misconduct within the meaning of the Khulna Development Authority Employee (Efficiency and Discipline) Rules, 1966 and an employee found guilty of such contravention shall render himself liable to disciplinary action under the aforesaid rules.

26. **Delegation of power.**—The Authority may, by general or special order, delegate to any officer or authority subordinate to it all or any of its powers under these rules and may, by such order, prescribe the channel through which reports shall be made to the Authority and the Officers, receipt by whom of such report shall be regarded as receipt of the reports by the Authority within the meaning of these rules.

27. **Rules not to be in derogation of any law, etc.**—Nothing in these rules shall be in derogation of any provision of any law, or of any previous conduct or any employee in conformity with any order of a competent Authority, for the time being in force.

By order of the President

H. R. DATTA

Deputy Secretary.

MINISTRY OF FINANCE

NATIONAL BOARD OF REVENUE

(Sales Tax)

NOTIFICATION

Dacca, the 8th July, 1977.

No. S.R.O. 214-L/77.—In exercise of the powers conferred by sub-section (1) of section 7 of the Sales Tax Act, 1951 (III of 1951), the Government is pleased to make the following further amendment in this Ministry's Notification No. 9, dated the 27th June, 1951, namely,—

In the aforesaid Notification, *after* item 107 and the entries relating thereto, the following shall be *added*, namely,—

"108. Jute baling hoops, buckles and pins and cotton salvage yarn, if sold to the jute mills".

By order of the President

K. A. DEWAN

Joint Secretary.

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