

Registered No. DA-1.

The
Bangladesh  Gazette

Extraordinary
Published by Authority

SATURDAY, SEPTEMBER 2, 1978

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

NOTIFICATIONS

Dacca, the 2nd September, 1978.

No. S.R.O. 239-L/78.—In exercise of the powers conferred by Article 64 of the Constitution, the President is pleased to direct that the following amendment shall be made in the Attorney-General (Terms and Conditions of Service) Rules, 1972, namely:—

In the aforesaid Rules, in rule 3, for sub-rule (1) the following shall be substituted and shall be deemed to have been so substituted on the 1st day of July, 1978, namely:—

- “(1) For the performance of his duties the Attorney-General for Bangladesh shall be paid—
- (a) a retainer of Taka 3,000 per month;
 - (b) an office allowance of Taka 750 per month;
 - (c) a car allowance of Taka 850 per month.”.

No. S.R.O. 240-L/78.—In exercise of the powers conferred by clause (4) of Article 3 and clause (3) of Article 4 of the Bangladesh Law Officers Order, 1972 (P.O. No. 6 of 1972), the President is pleased to direct that the following further amendments shall be made in the Bangladesh Law Officers (Terms and

(5101)

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Conditions of Service) Rules, 1973, and that such amendments shall be deemed to have taken effect on the 1st day of July, 1978, namely:—

In the aforesaid Rules,—

(1) in rule 2, clauses (bb), (dd) and (f) shall be *omitted*;

(2) in rule 4,—

(i) sub-rule (1A) shall be *omitted*;

(ii) for sub-rules (2), (3) and (4), the following shall be *substituted*, namely:—

“(2) In civil matters, it shall be the duty of a Deputy Attorney-General—

(a) to represent the Government in matters relating to appeal, review, reference or revision under the Code of Civil Procedure, 1908 before the High Court Division, and to appear on behalf of the Government in such civil appeals before the Appellate Division as may be referred to him by the Government or the Attorney-General;

(b) to represent the Government in all other matters of civil nature in which the Government may require representation;

(c) to tender advice and to appear on behalf of the Government in all matters referred to him by the Government, the Attorney-General or the Additional Attorney-General; and

(d) to perform such other functions as are conferred on him by or under any law for the time being in force.

(3) In writ matters, it shall be the duty of a Deputy Attorney-General—

(a) to represent the Government in petitions under article 102 of the Constitution and in all matters relating to, arising out of, or connected with, any petition under that article;

(b) to tender advice and to appear on behalf of the Government in all matters referred to him by the Government, the Attorney-General or the Additional Attorney-General.

(4) In criminal matters, it shall be the duty of a Deputy Attorney-General—

(a) to remain in charge of all criminal appeals, references or revisions under the Code of Criminal Procedure, 1898 or under any other special law, before the High Court Division;

(b) to appear before the Appellate Division and High Court Division in references and appeals relating to capital sentences on behalf of the State;

(c) to appear before the Appellate Division and the High Court Division in such other criminal appeals as may be referred to him by the Government, the Attorney-General or the Additional Attorney-General;

(d) to tender advice and to appear on behalf of the Government in all criminal matters referred to him by the Government, the Attorney-General or the Additional Attorney-General; and

(e) to perform such other functions as are conferred on him by or under any law for the time being in force.”;

(iii) in sub-rule (5), the words “with whom he is attached” twice occurring shall be *omitted*; and

(iv) sub-rule (6) shall be *omitted*;

(c) for rule 5 the following shall be *substituted*, namely:—

“5. (1) A Law Officer shall, for his services, be paid the following remuneration and allowances, namely:—

(a) in the case of the Additional Attorney-General,—

(i) a retainer of Tk. 2,850 per month;

(ii) an office allowance of Tk. 750 per month;

(iii) a car allowance of Tk. 850 per month;

(b) in the case of a Deputy Attorney-General,—

(i) a retainer of Taka 2,000 per month;

(ii) an office allowance of Taka 500 per month;

(iii) a conveyance allowance of Taka 500 per month;

(c) in the case of an Assistant Attorney-General,—

(i) a retainer of Taka 1,500 per month;

(ii) a conveyance allowance of Taka 250 per month.

(2) For appearance on behalf of the Government in any Tribunal or Court, other than the Supreme Court, a Law Officer shall be paid a daily fee,—

(a) in the case of Additional Attorney-General, of Taka 550;

(b) in the case of a Deputy Attorney-General, of Taka 250; and

(c) in the case of an Assistant Attorney-General, of Taka 125:

Provided that if such appearance requires a Law Officer to be absent from Dacca, the days of his absence from Dacca in connection with appearance in any Tribunal or Court including the days of departure from, and return to, Dacca shall be reckoned as days of appearance.”;

(4) in rule 6,—

(i) for sub-rule (1) the following shall be *substituted*, namely:—

“(1) A Law Officer shall be entitled to private practice but shall not—

(a) advise or hold briefs against the Government;

(b) advise or hold briefs in cases in which he is likely to be called upon to advise, or appear for, the Government;

- (c) shall not defend accused persons in criminal prosecutions without prior permission of the Government.”;
- (ii) sub-rule (3) shall be *omitted*;
- (5) in rule 8,—
- (a) in clause (a),—
- (i) for the comma and words “, a Deputy Attorney-General and a Deputy Advocate-General” the words “and a Deputy Attorney-General” shall be *substituted*; and
- (ii) for the words “High Court” the words “High Court Division” shall be *substituted*; and
- (b) in clause (b), for the words “and an Assistant Advocate-General” a comma shall be *substituted*;
- (6) in rule 9,—
- (a) in sub-rule (1), in clause (b), the words “and a Deputy Advocate-General shall be assisted by an Assistant Advocate-General” shall be *omitted*; and
- (b) for sub-rule (2) the following shall be *substituted*, namely:—
- “(2) For criminal matters before the High Court Division a Deputy Attorney-General may be assisted by a lawyer or lawyers included in a panel of lawyers prepared by the Government in consultation with the Attorney General; and such panel may be modified or revised from time to time.”; and
- (7) rule 10 shall be *omitted*.

By order of the President
A. R. CHOUDHURY
Secretary.