

Bangladesh



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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
CHITTAGONG CANTONMENT BOARD, CHITTAGONG  
NOTIFICATION

Chittagong, the 14th October, 1977.

No. S.R.O. 315-L/77.—The following bye-laws made by the Chittagong Cantonment Board under section 282 of the Cantonment Act, 1924 (Act II of 1924) are hereby published for general information as required by sub-section (1) of section 284 of the said Act.

**Text**

In exercise of the powers conferred by clauses (25), (26) and (27) of section 282 of the Cantonments Act, 1924 (II of 1924), read with section 283 thereof, the Chittagong Cantonment Board is pleased to make the following bye-laws which the Government has approved and confirmed under section 284 of the said Act, the same having been previously published as required by section 284 of the said Act, namely:—

1. These bye-laws may be called the Chittagong Cantonment (Licensing and Regulation of Rickshaws) Bye-laws, 1977.

2. In these bye-laws, unless there is anything repugnant in the subject or context,—

- (a) "Board" means the Chittagong Cantonment Board;
- (b) "Cantonment" means the Chittagong Cantonment;
- (c) "driver" means the person in charge of a licensed vehicle;

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- (d) "hire" means service for a period not exceeding twenty-four hours or which would, ordinarily, be performed within a period of twenty-four hours;
- (e) "ply for hire" means plying for hire and not rendering casual service;
- (f) "owner" means the owner of a vehicle;
- (g) "vehicle" means a rickshaw.

3. No person shall keep for hire, or cause to ply for hire, within the limits of the Cantonment, any vehicle except under a licence granted in this behalf by the Board.

4. (1) A licence to keep for hire, or to cause to ply for hire, any vehicle shall, subject to the conditions specified in bye-law 7, be granted by the Board on the application of the owner of such vehicle and on payment of a fee of Taka twenty for every financial year or part thereof,

(2) Licences granted under clause (1) shall be numbered serially.

5. The maximum fares to be charged for the hire of the licenced vehicle shall be fixed by the Board in keeping with the fares prevailing in the adjacent municipality.

6. (1) Under no circumstances a licenced vehicle plying for hire within the limits of the Cantonment shall carry more than two passengers or a maximum load of more than four maunds.

*Explanation.*—For the purpose of calculating the number of persons, two children under twelve years of age shall be reckoned as one person, and, for the purpose of calculating the weight of the load, every adult shall be considered to weigh  $1\frac{1}{2}$  maunds and every child under twelve years of age to weigh  $\frac{1}{2}$  maund and no account shall be taken of the children under three years of age.

(2) The combined weight of the persons and any load which may be carried at the same time shall not exceed the maximum weight specified in clause (1).

7. Every licence granted under bye-law 4 shall be subject to the following conditions, namely :—

- (a) That the owner or driver shall, at all times, keep the licenced vehicle clean and in good repair and in perfect water-proof condition;
- (b) That the owner or driver shall not demand any fare in excess of the maximum fare fixed by the Board under bye-law 5;
- (c) That the owner or driver shall not permit the licenced vehicle to be driven by any person who has not been licenced as a driver under bye-law 8;
- (d) That the owner shall not generally refuse to ply for hire, if he is offered the fare fixed by the Board;

- (e) That the owner or driver shall affix, or cause to be affixed, to the licensed vehicle in a conspicuous place the licence granted in respect of such vehicle for the current financial year and a copy of the table of fares fixed under bye-law 5 and shall keep the number of the licence clearly painted in a conspicuous place at the back of such vehicle;
- (f) That the owner or driver shall not carry, or permit to be carried, in the licensed vehicle any article which projects more than two feet from either side or for more than five feet from the front or rear of such vehicle;
- (h) That the owner or driver shall cause the licensed vehicle to be produced for inspection whenever he is required to do so by the Executive Officer.

8. No person shall drive a licensed vehicle for hire except under a licence to be granted in this behalf by the Board.

9. A licence to drive a licensed vehicle for hire may, subject to the conditions specified in bye-law 7, be granted by the Board to any person not less than eighteen years of age applying for such licence and on payment of a fee of Taka five every financial year or a part thereof:

Provided that the Board may refuse to grant a licence to any person who, in its opinion, is not fit to be granted such licence.

10. If the owner or a driver contravenes any of the conditions of his licence, such licence shall be liable to be suspended or cancelled by the Board.

11. Whoever contravenes any of the provisions of these bye-laws shall, on conviction by a Magistrate, be punishable with fine which may extend to one hundred Taka and, in the case of a continuing contravention, with an additional fine which may extend to twenty Taka for every day during which such contravention continues after conviction for the first such contravention.

By order of the Board

Z. I. CHOUDHURY

*Executive Officer.*

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**BANGLADESH BANK.**

No. S.R.O. 316-L/77, dated the 14th October, 1977.

**BANGLADESH BANK GENERAL REGULATIONS, 1977**

In exercise of the powers conferred by clause ( ) of Article 82 of the Bangladesh Bank Order, 1972 (P.O. No. 127 of 1972), the Board of Directors

of the Bangladesh Bank, with the approval of the Government, makes the following regulations, namely:

## CHAPTER I

### INTRODUCTORY

1. **Short title.**—These regulations may be called the Bangladesh Bank General Regulations, 1977.

2. **Definition.**—In these regulations, "Order" means the Bangladesh Bank Order, 1972 (P.O. No. 127 of 1972), and other expressions have, unless the context otherwise requires, the meaning assigned to them in the Order.

## CHAPTER II

### OBLIGATIONS AND IMMUNITIES OF DIRECTORS OF THE BANK

3. **Declaration of fidelity and secrecy.**—Every Director shall, before entering upon his duties, sign a declaration in the form set out in Schedule I to these regulations pledging himself to observe strict secrecy respecting all transactions of the Bank with its customers and all matters relating thereto, and shall by such declaration pledge himself not to reveal any of the matters which may come to his knowledge in the discharge of his duties, except when required or authorised to do so by the Board or by law.

4. **No Director to deal with matters with which he is personally concerned.**—  
(1) Every Director who is directly or indirectly concerned or interested in any contract or arrangement entered into by or on behalf of the Bank shall disclose the nature of his interest at the meeting of the Board at which the contract or arrangement is determined, if his interest then exists, or in any other case at the next meeting of the Board after the acquisition of his interest or the making of the contract or arrangement.

(2) No Director and no member of the Executive Committee shall, as such, vote on any contract or arrangement in which he is either directly or indirectly concerned or interested, and, if he does so his vote shall not be counted.

5. **Obligation of Director to give information of disqualification.**—A Director nominated under clause 3(c) of Article 9 of the Order shall, as soon as may be inform the Board if he becomes subject to any of the disqualifications specified in Article 13 of the Order.

6. **Board to inform Government regarding disqualification.**—The Board shall forthwith inform the Government, if it comes to the notice of the Board, that any Director has become subject to any of the disqualifications specified in Article 13 of the Order.

7. **Indemnity of Directors.**—(1) Every Director shall be indemnified by the Bank against all losses and expenses incurred by him in the discharge of his duties, except such as may happen from his own wilful act or default.

(2) A Director shall not be responsible for any other Director or for any officer or employee of the Bank or for any loss or expense incurred by the Bank by reason of the insufficiency or deficiency of value of, or title to, any property or security acquired or taken on behalf of the Bank, or by reason of the insolvency, bankruptcy or wrongful act of any customer or debtor of Bank, or due to anything done in the execution of the duties of his office or in relation thereto, otherwise than for his own wilful act or default.

## CHAPTER III

## MEETING OF THE BOARD OF DIRECTORS AND OF THE EXECUTIVE COMMITTEE

8. **Meetings of Board.**—(1) Ordinarily not less than 15 clear days' notice shall be given for each meeting of the Board and such notice shall be sent to every Director to his registered address. Should it be found necessary to convene an emergency meeting, sufficient notice shall be given to every Director who is at the time in Bangladesh to enable him to attend.

(2) At meetings of the Board five Directors, including at least one nominated under clause (3)(c) of Article 9 of the Order and another under clause (3)(d) thereof, shall form a quorum.

(3) No business other than that for which the meeting was convened shall be discussed at a meeting of the Board except with the consent of the person presiding, unless one clear week's notice has been given of the same in writing to the Governor.

(4) The Governor, or in his absence a Deputy Governor who is nominated by the Government under clause (3)( ) of Article 9 of the Order, may cancel, postpone or adjourn a meeting of the Board.

(5) A copy of the proceedings of each meeting of the Board shall be circulated as soon as possible thereafter for information of the Directors and shall be signed by the person presiding at that or the next succeeding meeting.

(6) The Secretary of the Bank shall be the *ex-officio* Secretary to the Board.

9. **Meetings of Executive Committee.**—(1) The Executive Committee shall except when the Board is in session, meet as often as may be considered necessary by the Governor at any place where there is an Office of the Bank, Reasonable notice shall be given to the members of the Committee to enable them to attend.

(2) Two members of whom only one shall be either the Governor or a Deputy Governor, shall form a quorum for the transaction of business.

(3) The Governor, or in his absence a Deputy Governor who is nominated by the Government under clause (3)(d) of Article 9 of the Order, shall preside at the meetings of the Executive Committee and may cancel, postpone or adjourn a meeting of the Executive Committee.

(4) The decisions of the Executive Committee shall be unanimous, and in the case of any difference of opinion on any matter it shall be referred to the Board for a decision.

(5) The Secretary of the Bank shall be the *ex-officio* Secretary to the Executive Committee.

## CHAPTER IV

## GENERAL PROVISIONS

10. **Advances to employees.**—(1) Advances to an officer or employee may be made on such terms and conditions as may be specified by the Board.

(2) Such Advances shall be sanctioned by such authority as may be specified by the Board.

Provided that until an authority is so specified, the advances to an Executive Director, Chief Officer, Director of Accounts or any other officer of equivalent rank shall be made by the Governor, and to any other officer or employee by a Deputy Governor, Executive Director or any other officer authorised by the Governor in this behalf.

11. **Delegation of powers by Governor.**—The Governor may authorise any officer to exercise all or any of his powers in relation to matters pertaining to the department or office in which he is employed, subject to such conditions and limitations as he may specify.

12. **Manner and form in which contract binding on the Bank may be executed.**—Contracts on behalf of the Bank may be made as follows :

(a) any contract which, if made between private persons, would by law be required to be in writing and signed by the parties to be charged therewith, may be made on behalf of the Bank in writing and signed by any person acting under its authority and may in the same manner be varied or discharged ;

(b) any contract which, if made between private persons, would by law be valid although not reduced to writing may be made by parole on behalf of the Bank by any person acting under its authority and may in the same manner be varied or discharged.

13. **Accounts, receipts and documents of Bank by whom to be signed.**—The Governor, Deputy Governors, Executive Directors, and such other officers as the Board or, in the event of its non-existence, the Governor may, by notification in the official Gazette, authorise in this behalf, are hereby severally empowered for and on behalf of the Bank, to endorse and transfer promissory notes, stock-receipts, stock-debentures, shares, securities and documents of title to goods, standing in the name of or held by the Bank, and to draw, accept and endorse bills of exchange and other instruments in the current and authorised business of the Bank and to sign shall other accounts, receipts, documents and letters connected with such business.

14. **Plaints, etc., by whom to be signed.**—Plaints, written statements, affidavits and all other documents connected with legal proceedings may be signed and verified on behalf of the Bank by any officer mentioned in regulation 13 or by any other officer authorized by the Board in this behalf.

15. **Common Seal of the Bank.**—There shall be an embossing seal known as the common seal of the Bank which shall bear the fac-simile of the monogram of the Bank. The common seal of the Bank shall not be affixed to any instrument except in the presence of three Directors, including the Governor or a Deputy Governor, who shall sign their name on the instrument in token of their presence, and such signing shall be independent of the signing of any person who may sign the instrument as witness. Unless so signed such instrument shall not be valid.

16. **Service of Notice on Bank.**—A notice may be served on the Bank by leaving it at, or sending it by post to, the Head Office of the Bank.

17. **Annual Statement of Accounts.**—The Board or, in the event of its non-existence, the Governor shall cause the books of the bank to be balanced on the last working day of the month of June in each year and the annual accounts shall be set out as follows :

(a) a balance sheet in the form prescribed by the Government ;

(b) a profit and loss account for the year in the form set out in Schedule II to these regulations.

18. **Valuation of Investments.**—(1) The investment of the Banking Department of the Bank in securities shall be divided into two accounts—“Bank’s Investments Permanent Account” and “Bank’s Investments Floating Account”. The Bank’s Investments Permanent Account shall not exceed Taka Ten crore. The valuation of the securities forming the Banks Investments Permanent Account shall be made on the principle of fixity of valuation, being such a valuation as the Board or, in the event of its non-existence, the Governor may consider represent the fair normal value of the securities, judged by previous prices the large amount involved and the positions and prospects of the market, but no revaluation, with a view to appropriation of profits, shall take place until some marked difference of value between the rates of valuation and the market rates arises under circumstances of such duration or of such nature as will warrant a belief in the permanency of the difference. The securities forming the Bank’s Investments Floating Account shall be the securities held in the Banking Department of the Bank in excess of the amount held in the Bank’s Investments Permanent Account and shall be valued yearly at rates not exceeding the market rates on the last working day of the month of June each year.

(2) The market rate for the time being obtaining shall be that advised by the Bank’s Brokers, Foreign Central Banks or financial institutions as that obtaining on the valuation day.

(3) In valuing treasury bills of the Government of the People’s Republic of Bangladesh or any other Government or bills of exchange the purchase price shall be taken to be the market price.

(4) For the purpose of converting the market prices of Foreign Currency Securities into Taka—

- (a) for Securities in currency with which the Taka is pegged, the rate applicable shall be the rate at which the Taka remains pegged to that currency ;
- (b) for Securities in currencies other than that with which the Taka is pegged, the rate applicable shall be the cross rate based on the market quotation of the currency in terms of the currency with which the Taka is pegged.

(5) To avoid incessant petty adjustments between the accounts of the Issue and Banking Departments negligible fluctuations in the market price of a security occurring in the interim period between the valuations effected on the last working day of the month of June in each year shall be disregarded.

*Explanation.*—'Negligible fluctuations' means fluctuation which involve a variation of less than 2 per cent from the market price obtaining at the last annual valuation or the price at which the security was purchased.

(6) The items in the Account prescribed by the Government under Article 40 of the Order shall be valued to the nearest thousand taka.

19. **Remuneration of Directors.**—(1) All Directors nominated under clause (c) of Article 9 of the Order shall receive a fee of Taka one hundred for attending each meeting of the Board or of the Committee in addition to travelling expenses, if any.

(2) The Directors shall be paid travelling allowances and diem allowances for attending meetings of the Board and its Committee on the scales specified below :

Provided that the Directors shall also be entitled to the travelling allowances and diem allowances at the same scales if deputed by the Board to visit any place for the Bank's business or to serve on any Committee :

#### Scales

- (i) One first class rail or steamer fare or air passage for each journey ;
- (ii) Road mileage at the rate of Taka one per mile or any part thereof of the journey performed by road :

Provided that travelling allowance for journeys undertaken by road between places connected also by rail or steamer will be admissible on the basis which is more economical to the Bank :

- (iii) Diem allowance of Taka 100 (one hundred only) for the actual days of journey and days of meeting attended and a maximum of two days halt, if actually made out of the station of residence.

(4) The allowance for journey and halt outside Bangladesh shall be determined by the Government.



(4) The travelling allowances are admissible on the basis of a journey by the shortest route, but where the journey is performed by a route which is not the shortest but is cheaper than the shortest the travelling allowances will be paid according to the route actually used :

Provided that the Government officials nominated under clause (3)(d) of Article 9 of the Order shall be paid travelling allowances and diem allowances according to the Government rules applicable to them.

(5) The travelling allowances shall ordinarily be admissible from the station of residence to the station of meeting and back, but where the journey undertaken from a place other than the station of residence is more economical to the Bank, the travelling allowances will be paid on the basis of the journey actually performed.

20. Repeal.—The State Bank General Regulations, continued in force by virtue of clause (2) of Article 84 of the Order, and the Bangladesh Bank General Regulations, 1976, published in the Bangladesh Gazette, dated the 4th March, 1977 are hereby repealed.

## SCHEDULE I

[See Regulation 3]

I, ..... on becoming a Director of the Board of Directors of the Bangladesh Bank do solemnly and sincerely declare that I will faithfully perform the duties of Director and that I will to the best of my ability uphold the interest of the Bangladesh Bank and that I will observe strict secrecy respecting all transactions of the Bank and all matters relating thereto and that I will not directly or indirectly communicate or divulge any of the matters or any information which may come to my knowledge in the discharge of my duties as such Director except when required or authorised to do so by the Board of Directors of the Bank or by law.

( Signature )

**SCHEDULE II**  
[See Regulation 17]  
**INCOME**

Taka

Amount brought forward .. .. .	..	
Interest, Discount, Exchange, Commission, etc. .. .. .	..	
<b>Total Taka</b> .. .. .	..	

**EXPENDITURE**

Establishment .. .. .	..	
Directors' Fees and Expenses .. .. .	..	
Auditor's Fees .. .. .	..	
Rent, Taxes, Insurance, Lighting, etc. .. .. .	..	
Law Charges .. .. .	..	
Postage and Telegram Charges .. .. .	..	
Remittance of Treasure .. .. .	..	
Stationery, etc. .. .. .	..	
Security Printing (Cheques, Note forms, etc.) .. .. .	..	
Depreciation and Repairs to Bank's Property .. .. .	..	
Agency Charges .. .. .	..	
Contribution to Staff and Superannuation Funds .. .. .	..	
Miscellaneous Expenses .. .. .	..	
Net available Balance .. .. .	..	
<b>Total Taka</b> .. .. .	..	

Amount transferred to Reserve Fund .. .. .	..	
Amount set aside/transferred to :		
(a) .. .. .	..	
(b) .. .. .	..	
(c) .. .. .	..	
Surplus payable to Government Balance carried forward .. .. .	..	
<b>Total Taka</b> .. .. .	..	

The Account of the Reserve Fund in the following Form :

By balance on 30th June .. .. .	..	
By transfer from Profit and Loss Account .. .. .	..	
<b>Total Taka</b> .. .. .	..	

**M. NURUL ISLAM**

Governor,

Bangladesh Bank.

Dated 10th October, 1977.