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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW, PARLIAMENTARY AFFAIRS AND JUSTICE
(Justice Division)

Dacca, the 1st October, 1975.

No. S.R.O. 344-L/75.—In exercise of the power conferred by section 17 of the Vested and Non-Resident Property (Administration) Act, 1974 (Act No. XLVI of 1974), the Government is pleased to make the following rules, namely:—

THE VESTED AND NON-RESIDENT PROPERTY (ADMINISTRATION) RULES, 1975.

1. **Short title.**—These rules may be called the Vested and Non-Resident Property (Administration) Rules, 1975.

2. **Definitions.**—In these rules—

- (a) "Act" means the Vested and Non-Resident Property (Administration) Act, 1974 (Act No. XLVI of 1974);
- (b) "Form" means a form appended to these rules;
- (c) "section" means section of the Act.

3. **Delivery of charge of vested properties to a Committee.**—(1) As soon as may be after the constitution of a Committee for a subdivision, all persons who have charge of any vested properties shall make over charge thereof to the Committee by handing over to it a list of such properties together with all books of accounts, registers, records and other documents of whatever nature relating to such properties and shall simultaneously forward to the Government a copy of such list together with the description of all books of accounts, registers, records and other documents handed over to the Committee.

(2) If any vested property is situated within the jurisdiction of more than one Committee, the person who has charge thereof shall refer the matter to the Government and shall make over charge of the property in the manner prescribed by sub-rule (1) to such Committee as the Government may direct.

4. **Transfer of vested Property with the consent of owner.**—(1) When an owner gives written consent to the transfer of a vested property under sub-section (3) of section 7, the Committee may transfer such property by registered deed.

(2) No transfer shall be made under sub-rule (1) without the prior approval of the Government.

5. **Taking charge of non-resident property.**—(1) Before taking charge of any non-resident property under sub-section (1) of section 8 a Committee shall serve a public notice in Form 1 by affixing a copy thereof on a conspicuous part of the property and also on the notice boards of the Committee and of the Union Parishad, Paurashava or Municipal Corporation within the jurisdiction of which the property is situate.

(2) If such property is in possession of any person, a copy of the notice shall also be served on such person by delivering or tendering it to him or, if he refuses to accept it or cannot be found, by affixing it on a conspicuous part of the house in which he ordinarily resides or carries on business or works for gain in the presence of two witnesses.

(3) When a non-resident property has vested in the Committee under sub-section (5) of section 8, the Committee shall give a public notice in Form 2 by affixing a copy thereof on a conspicuous part of the property and also on the notice boards of the Committee and of the Union Parishad, Paurashava or Municipal Corporation within the jurisdiction of which the property is situate.

6. **Deposit of income of vested and non-resident property.**—(1) A Committee shall deposit the income of all vested property in its charge in the Government treasury or sub-treasury under sub-head “অর্পিত সম্পত্তি সম্বন্ধীয় জমা—চ” to be opened under major head “ত—জমা ও অগ্রিম ২য় খণ্ড সুদ মুক্ত জমা—গ—অন্যান্য জমা ও অগ্রিম বিভাগীয় ও আদালতী জমা—বেসামরিক জমা” and the account in respect of such deposit shall be operated by its Chairman.

(2) A committee shall deposit the income of all non-resident property vested in it in the Government treasury or sub-treasury under sub-head “অনিবাসী সম্পত্তি সম্বন্ধীয় জমা—ছ” to be opened under major head “ত—জমা ও অগ্রিম ২য় খণ্ড সুদ মুক্ত জমা—গ—অন্যান্য জমা ও অগ্রিম বিভাগীয় ও আদালতী জমা—বেসামরিক জমা” and the account in respect of such deposit shall be operated by its Chairman.

7. **Payment of net income of non-resident property.**—After deducting from the gross income of a non-resident property all sums properly debitable to such income, a Committee shall pay to the non-resident annually such amount of the net income as the Bangladesh Bank may allow.

8. **Notice of release of non-resident property.**—When a Committee releases a non-resident property under sub-section (3) of section 10, it shall give a public notice in Form 3 by affixing a copy thereof on a conspicuous part of the property and also on the notice boards of the Committee and of the Union Parishad, Paurashava or Municipal Corporation within the jurisdiction of which the property is situate.

9. **Maintenance of accounts.**—A committee shall maintain separate account in respect of each vested or non-resident property in Form 4.

10. **Audit of accounts.**—Accounts maintained by a Committee shall be audited by the Comptroller and Auditor-General of Bangladesh.

11. **Rate of levy.**—(1) For defraying the expenses of the Committees not specifically related to any vested or non-resident property, there shall be a levy on the gross collections made by each Committee in respect of vested and non-resident properties at the rate of fifty per cent of such collections.

(2) Each Committee shall deposit the levy in the Dacca Government Treasury under sub-head “অর্পিত ও অনিবাসী সম্পত্তির আয় হইতে লেভী মূলে প্রাপ্ত টাকার হিসাব” to be opened under major head “ত—জমা ও অগ্রিম ২য় খণ্ড সুদ মুক্ত জমা—গ—অন্যান্য জমা ও অগ্রিম বিভাগীয় ও আদালতী জমা—বেসামরিক জমা” and the account in respect of such deposit shall be operated by the Secretary, Ministry of Law, Parliamentary Affairs and Justice or an officer authorized by him in writing in this behalf.

(3) The Secretary, Ministry of Law, Parliamentary Affairs and Justice shall make annual allotment to each Committee such sum out of the levy deposited under sub-rule (2) as he may deem necessary for defraying the expenses of the Committee not specifically related to any vested or non-resident property.

12. **Committee to be subject to Government control.**—Each committee shall, in the discharge of its functions, be guided by such general or special instructions as may be given to it by the Government from time to time.

FORM 1

NOTICE CALLING FOR OBJECTIONS

[See rule 5(1)]

Whereas the property specified in the schedule below owned by
..... of, P. S.,
District., (Name of Country) is a non-resident property
within the meaning of the Vested and Non-Resident Property (Administration)
Act, 1974 (Act No. XLVI of 1974);

And whereas the Vested and Non-Resident Property Management Committee,
....., intends to take charge of the said property;

Notice is hereby given that any person having any objections to the taking
charge of such property by the Committee may file written objections to the
undersigned on or before the day of
1974.

Schedule

Seal

Chairman,
Vested and Non-Resident Property
Management Committee,
.....
Date

FORM 2

NOTICE OF VESTING

[See rule 5(3)]

Notice is hereby given that the non-resident property specified in the Schedule below has vested in the Vested and Non-resident Property Management Committee,....., under section 8(5) of the Vested and Non-Resident Property (Administration) Act, 1974 (Act No. XLVI of 1974).

Schedule

Seal.

Chairman,

Vested and Non-resident Property Management Committee,.....
.....
Dated.....

FORM 3

NOTICE OF RELEASE OF NON-RESIDENT PROPERTY

[See rule 8]

Whereas the non-resident property specified in the Schedule below belonging to the non-resident..... of P. S....., Dist....., (Name of Country) vested in the Vested and Non-resident Property Management Committee, under section 8 of the Vested and Non-Resident Property (Administration) Act, 1974 (Act No. XLVI of 1974);

And whereas the said non-resident has, with the previous permission of the Committee, disposed of the said property by sale/exchange/gift to Mr..... of P. S....., Dist.....; and has informed the Committee in writing of such disposition;

Notice is hereby given that the Committee has released the said property from its management by an order in writing made on.....

Schedule

Seal.

Chairman,

Vested and Non-resident Property Management Committee,.....
.....
date.....

FORM No. 4

[See Rule 9]

Register of Accounts of Vested/Non-Resident Property.

A		B		C					
1. Name of the Committee	1. Name and address of the lessee	1. Amount of Deposit of levy in the P. D. Account.	Chalan No. with date.	2. Amount of Deposit in the Govt. Account in respect of Vested Property.	Number and date of clearance of Bangladesh Bank and also receipt of payment				
2. Description of the Property and area	2. Date of commencement of lease					3. Amount paid as net income in case of Non-Resident Property	Chalan No. with date.	4. Other payment if any.	No. and date of voucher.
3. Name and address of the owner	3. Monthly/Yearly lease money or rent								
4. Date of taking over	4. Rate of Govt. rent...../Other Govt. Taxes...../C. S. S.								
5. Nature of the Property	Taxes i. e. Municipal/Union.								
6. Cave No. with year									
7. Any suit/any stay order from any Court restraining the Committee/Govt. from managing the property.									

Amount Paid as (date of payment to be mentioned)

Amount of lease money /rent assessed realised, or (any other income.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
				Rate of credit to the Bank/Govt. Treasury or Sub-Treasury with No. of Bank/Treasury or Sub-Treasury a/c's slip.	Ground rent.	Other Govt. taxes.	Cess.	Local Govt. taxes.	Litigation cost if any.	Levy.	Amount of Deposit in the Govt. Account in respect of Vested property.	Other payment if any.	Amount paid as net income in case of Non-Resident Property.	Total Balance.	

By order of the President
M. H. RAHMAN
Secretary.

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