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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

PRESIDENT'S SECRETARIAT

Establishment Division

Section J-II

NOTIFICATION

Dacca, the 15th October 1975.

No. S.R.O. 351-L/75-ED(J-II)/56/75-271.—In exercise of the powers conferred by the proviso to article 132 of the Constitution of the People's Republic of Bangladesh, the President, after consultation with the Bangladesh Public Service (First) Commission as required by clause (2) of article 140 of the Constitution, is pleased to make the following amendment in the Services Recruitment Rules, published under the then Government of Bengal, Appointment Department's Notification No. 7183A, dated the 22nd May, 1930, namely:—

Amendment

In the aforesaid Rules, in Schedule II, under the heading "A.—Promotion," in the table, for entry I in the first column and the entries relating thereto in the second and third columns the following shall be *substituted*, namely:—

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| "1. Deputy Magistrates and Deputy Collectors. | 40 for the year 1975 and 33 for every subsequent year. | 1. Circle Officer (Development).
2. Circle Officer (Revenue).
3. Additional Land Acquisition Officer." |
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By order of the President
MAHBUBUR RAHMAN
Secretary.

MINISTRY OF LABOUR AND SOCIAL WELFARE

Section VII

NOTIFICATION

Dacca, the 10th October 1975.

No. S.R.O. 350-L/75/S-VII/1(44)/75/439.—In exercise of the powers conferred by section 5 of the Factories Act, 1965 (E.P. Act IV of 1965), the Government is pleased to exempt the factory of M/S Glaxo Bangladesh Limited, Chittagong from the provisions of sections 50 and 53 of the said Act for a period of 2(two) months with effect from the 1st day of September, 1975 in the public interest.

By order of the President

A. F. M. NOORUL ISLAM

Deputy Secretary.

MINISTRY OF EDUCATION, SCIENTIFIC AND TECHNOLOGICAL
RESEARCH AND ATOMIC ENERGY

(Education Division)

NOTIFICATION

Dacca, the 11th October 1975.

No. S.R.O. 352-L/75/SVIII/880-Edn.—In exercise of the powers conferred by section 6 of the Primary Schools (Taking Over) Act, 1974 (VIII of 1974), the Government is pleased to make the following rules, the same having been previously published as required by the said section, namely:—

1. **Short title.**—These rules may be called the Taken Over Primary Schools (Managing Committee) Rules, 1975.

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

- (a) "Committee" means the Managing Committee of a primary school;
- (b) "District Inspector of Schools" means the District Inspector of Schools of the district in which the primary school is situated;
- (c) "Subdivisional Education Officer" means the Subdivisional Education Officer of the Subdivision in which the primary school is situated;
- (d) "Thana or Circle Education Officer" means the Thana or Circle Education Officer of the Thana or the Circle, as the case may be, in which the primary school is situated;
- (e) "Union parishad" means a Union Parishad constituted under the Bangladesh Local Government (Union Parishad and Paurashava) Order, 1973 (P. O. No. 22 of 1973);
- (f) "Ward member" means a member from the ward of the Union Parishad in which the primary school is situated;
- (g) "Head Teacher" means the Head Teacher of the primary school concerned; and
- (h) "Primary school" means a primary school taken over under section 3 of the Primary Schools (Taking Over) Act, 1974 (VIII of 1974).

3. **Constitution of the Committee.**—(1) The District Inspector of Schools shall, on receiving the names of the elected members and nominated members, constitute a Committee for a primary school for a period of three years counted from date on which such Committee assumes charge of office.

(2) The Committee shall consist of the following, namely:—

- (a) a ward member of the Union Parishad, representing the ward in which the primary school is situated to be nominated by the Union Parishad concerned;
- (b) the Head Teacher, *ex-officio*;
- (c) three members to be elected by the guardians of the students of the primary school from amongst themselves;
- (d) One person interested in education to be nominated by the Thana or Circle Education Officer;
- (e) one person to be nominated by the Thana or Circle Education Officer from amongst the donors and benefactors of the primary school;
- (f) one person to be nominated by the Thana or Circle Education Officer from amongst the founders of the primary school.

(3) The Chairman of the Committee shall be elected by the members of the Committee from amongst themselves.

(4) The Head Teacher shall be the *ex-officio* Secretary of the Committee.

4. **Extension of term.**—(1) The term of a Committee may be extended for a period not exceeding six months, on an application along with a resolution of the Committee, by the District Inspector of Schools only when he is satisfied that there is reasonable cause for delay in reconstituting the Committee.

(2) An application under sub-rule (1) shall be made at least two months before the date of expiry of the term.

5. **Dissolution of the Committee.**—(1) If the Committee fails to function properly or fails to conduct the affairs of the primary school according to the general or specific instructions issued by the Director of Public Instruction, the District Inspector of Schools, on the recommendations of the Thana or Circle Education Officer and the Subdivisional Education Officer, may dissolve the Committee.

(2) A Committee dissolved under sub-rule (1) shall cease to function from the date of receipt of the orders to that effect by the Head Teacher.

6. **Formation of an ad hoc Committee.**—(1) The Subdivisional Education Officer shall, upon dissolution of the Committee under rule 5, form an *ad-hoc* Committee for a period not exceeding six months at a time with three members, one of whom shall be the Head Teacher, who shall be the *ex-officio* Secretary of the *ad-hoc* Committee.

(2) The *ad-hoc* Committee shall carry on the normal functions of the primary school, and shall take steps for the reconstitution of a Committee within ninety days of the dissolution of the Committee.

7. Procedure for election of members by the guardians of students.—

(1) The election of the three members from amongst the guardians of the students of the primary school, for the purpose of constitution of the Committee, shall be held at least thirty days before the expiry of the term of the existing Committee.

(2) The election shall take place on such date as may be fixed by the Thana or Circle Education Officer.

(3) Subject to the provision of sub-rule (5), the voters' list for the election of the three members from amongst the guardians shall be prepared by the Head Teacher forty days before the date of election.

(4) The guardians of all students whose names occur in the class attendance registers of students on the date referred to in sub-rule (3) shall be voters. The date on which the preparation of the voters' list is made shall be recorded in a bound register by the Head Teacher.

(5) No guardian notwithstanding that he has more than one ward in the primary school shall have more than one vote.

(6) The voters' list prepared under sub-rule (3) shall be read out in all classes for information of voters through students and a copy of the same shall be kept hung up in the notice board of the primary school for five days for inspection. This shall be treated as publication of the voters' list.

(7) Petitions for alteration or revision of voters' list shall be made to the Thana or Circle Education Officer through the Head Teacher within five days from the last day of publication of the voters' list.

(8) Within three days of the expiry of the date for receiving petitions for alteration and revision, the voters' list along with the petitions, if any, shall be forwarded to the Thana or Circle Education Officer who shall dispose of all the petitions within ten days from the date of receipt of the petitions and the voters' list revised or altered according to his decision shall be the final voters' list; and a copy of the final voters' list shall be sent to the Head Teacher.

(9) Where no objection petition is filed under sub-rule (7), the voters' list prepared under sub-rule (3) shall also be submitted to the Thana or Circle Education Officer and such voters' list shall be treated as the final voters' list; and a copy of the final voters' list shall be sent to the Head Teacher.

(10) The final voters' list shall be read out in all classes on the day following its receipt from the Thana or Circle Education Officer and the same shall be kept hung up in the notice board of the primary school for three days from the date of receipt. This shall be treated as the publication of the final voters' list.

(11) Nomination for election of members of the Committee duly proposed and seconded by the enrolled voters shall be received by the Head Teacher up to seven days from the date on which the final voters' list was read out in the class.

(12) Scrutiny of nominations shall be completed by the Thana or Circle Education Officer three days before the election and the result thereof be announced on the same day. The Thana or Circle Education Officer shall preside over the election meeting.

(13) Where, on scrutiny under the sub-rule (12), it is found by the Presiding Officer that the number of validly nominated candidates is equal to or less than the number of seats, he shall declare such candidate or candidates to be elected to the seats.

(14) After such declaration if it is found that there are seats still vacant in the category, the Presiding Officer shall accept duly proposed and seconded nominations for such vacancy or vacancies at the election meeting up to a time fixed by him.

(15) The election shall be held at the primary school premises by means of secret ballot. The notice of such election specifying therein the date and time shall be hung up by the Head Teacher on the notice board of the primary school and circulated in all classes, at least seven clear days' before the date of election.

(16) Publication of all notices concerning the election on the notice board of the primary school and their circulation in the classes shall be deemed to be due and adequate notification for the purpose of the election.

(17) The result of the election shall be declared soon after the election and on the spot. Records of the election containing the number of votes secured by each candidate shall be preserved until the next election.

(18) The names of the persons elected shall then be forwarded to the District Inspector of Schools by the Presiding Officer within five days from the date of election with a copy of the proceedings.

(19) Complaints, if any, regarding election should be addressed to the District Inspector of Schools within 5 days of the election with intimation to the Thana or Circle Education Officer in writing. The District Inspector of Schools shall dispose of the complaint before the Committee is constituted.

8. Disqualification or ineligibility to be a member of the Committee.—A person who has been convicted of any offence involving moral turpitude shall be disqualified from being a member or from being elected as a member of the Committee.

9. Conduct of meeting of the Committee.—(1) The Committee shall meet at least four times a year at regular intervals and the date and the time of each meeting shall be fixed by the Secretary in consultation with the Chairman. A notice of seven days shall be given for such meetings.

(2) The notice for a meeting of the Committee shall contain the business to be transacted at the meeting and no business other than those included in the agenda shall be transacted except with the consent of three-fourths of the members present.

(3) Five members shall form the quorum.

(4) In the absence of the Chairman of the Committee, the members present shall elect one amongst themselves, other than the Secretary, to preside over the meeting.

(5) The Chairman of the meeting shall have a casting vote in addition to his ordinary vote when the votes of the members are equally divided.

(6) Emergency meeting, if necessary, may be convened only at the instance of the Chairman on a notice of not less than twenty-four hours.

(7) Ordinarily, all meetings shall be held in the primary school premises.

(8) Any elected member of the Committee absenting himself from four consecutive meetings shall cease to be a member unless the Committee otherwise decides by three-fifths majority. Attention of such absenting members shall be drawn in writing to this provision, after his absence for three consecutive meetings.

10. **Casual vacancies.**—Casual vacancies occurring during the term of the Committee shall be filled up—

- (a) in the case of an elected member, by the person securing the next highest votes in the preceding election and, in the absence of any such person, the vacancy may be filled up by co-option from amongst the guardians of the students of the primary school; and
- (b) in the case of a nominated member, by person nominated by the Thana or Circle Education Officer or the Union Parishad, as the case may be.

11. **Duties of the Secretary.**—The Secretary of the Committee shall convene meeting and shall make all correspondence with the proper authorities on behalf of the Committee. He shall also keep a record of the proceedings of the meetings of the Committee. The proceedings of each meeting shall be confirmed at the subsequent meeting.

12. **Functions of the Committee.**—The functions of the Committee shall be to—

- (a) execute the construction work connected with the development programme of the primary school when entrusted to it by the Thana or Circle Education Officer;
- (b) raise funds from the locality for construction and repairs of the primary school buildings and for the supply of furniture and equipments;
- (c) ensure regular attendance of students and to see that the teachers attend to their duties regularly;
- (d) take prompt action to rehabilitate the primary school, if and when affected by natural calamities;
- (e) ensure all-round improvement of the primary school; and
- (f) ensure good administration and arrange for proper education.

13. **Fund.**—Any amount raised under clause (b) of rule 12 shall be deposited in a public account in the Postal Savings Bank or in a scheduled bank. The account shall be operated by the Secretary jointly with the Chairman.

14. **Custody of records.**—All records of the primary school including account and merit book shall remain under the charge of the Secretary, but shall be open to inspection by any member of the Committee and the officers of the Ministry of Education.

By order of the President

M. MOKAMMEL HAQUE

Secretary.