

Bangladesh



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**GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF JUTE AND TEXTILES
NOTIFICATION**

Dhaka, the 28th October 1984

No. S.R.O. 463-L/84.—Whereas Notification under clause (3) of Article 4 of the Bangladesh Industrial Enterprises (Nationalisation) Order, 1972 (P.O. No. 27 of 1972), has since been issued to omit M/S. Dhaka Jute Mills Limited from the First Schedule to the said Order;

Now, therefore, in exercise of the powers conferred by sub-clause (b) of clause (4) of Article 4 of the aforesaid Order, the Government is pleased to make the following consequential changes in the Memorandum of Association and Articles of Association of M/S. Dhaka Jute Mills Limited, namely :—

1. In the aforesaid Memorandum of Association,—
 - (1) in paragraph 1, for the word "Dacca" the word "Dhaka" shall be substituted;
 - (2) in paragraph 3,—
 - (a) in sub-paragraph (vii),—
 - (i) for the word "Pakistan", occurring twice, the word "Bangladesh" shall be substituted; and
 - (ii) the commas and the words "Native State. Rajas, Zamindars, Land holders" shall be omitted;
 - (iii) in sub-paragraph (x), for the word "Pakistan" the word "Bangladesh" shall be substituted;
 - (iv) in sub-paragraph (xxiv),—
 - (i) for the word "Pakistan" the word "Bangladesh" shall be substituted;

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- (ii) the words and commas " or with any Rajas, Zamindars, Land holders" shall be *omitted*; and
- (iii) the commas and words ", Rajas, Zamindars, Landholders" shall be *omitted*;
- (v) in sub-paragraph (xxxiii), for the word "Pakistan" the words and comma "Bangladesh, Pakistan" shall be *substituted*; and
- (3) in paragraph 5, for the word "Rs", occurring twice, the word "Tk." shall be *substituted*.
2. In the aforesaid Articles of Association,—
- (1) in the heading, for the word "Dacca" the word "Dhaka" shall be *substituted*;
- (2) throughout the Articles of Association, unless otherwise provided,—
- (i) for the word "Pakistan" the word "Bangladesh" shall be *substituted*;
- (ii) for the word "Rupees" or "rupees" or "Rs" the word "Taka" shall be *substituted*;
- (3) in Article 2, after the definition of "Dividend" the following definition shall be *inserted*, namely:—
- "GOVERNMENT" means the Government of the People's Republic of Bangladesh.";
- (4) Article 5A shall be *omitted*;
- (5) in Article 14, the words and comma "and countersigned by the Managing Agents, if any" shall be *omitted*;
- (6) in Article 57,—
- (a) the words "Managing Agent and/or" shall be *omitted*; and
- (b) the words "and/or Managing Agents" shall be *omitted*;
- (7) for Article 95 the following shall be *substituted*, namely:—
- "95. Number of Directors.—(1) Until otherwise determined by a general meeting the number of Directors shall not be less than five nor more than fifteen:
- Provided that so long as the Government shall hold shares in the capital of the Company, the Government shall have the right to nominate Directors in proportion to its shareholding interests:
- Provided further that the Government shall have the right to nominate one additional Director so long as the payment made to the Company by the Government as loan as capital infusion during the period of its nationalisation are not fully paid to the Government.

(2) The Directors nominated by the Government shall be *ex-officio* Directors and shall not be included in the rotation of Directors.”;

- (8) Article 97A shall be *omitted*;
- (9) in Article 98, the words “*Ex-officio* Directors and” shall be *omitted*;
- (10) in Article 99, for the words and figure “a sum of Rs. 100” the words “such sum as may be fixed by the Directors in consultation with the Controller of Capital Issues” shall be *substituted*;
- (11) in Article 101, the words “other than the *ex-officio* Director” shall be *omitted*;
- (12) in Article 108, for the words “Office of a Director” the words and commas “office of a Director, other than an *ex-officio* Director,” shall be *substituted*;
- (13) after Article 120, the following new Article shall be *inserted*, namely:—
- “120A. Managing Director.—**(1) There shall be a Managing Director of the Company who shall be elected from amongst the Directors.
- (2) The Managing Director shall be the Chief executive of the Company.”;
- (14) in Article 121,—
- (a) in clause (d), the brackets and words “(other than Managing Agents)” shall be *omitted*;
- (b) in clause (I), the figures, letters and word “87E and 87F” shall be *omitted*;
- (c) in clause (n), the comma and the words “, other than to the Managing Agents” shall be *omitted*; and
- (d) clause (t) shall be *omitted*.
- (15) Articles 125, 126, 127, 128, 129, 130, 131 and 132 shall be *omitted*;
- (16) in Article 133, for the words “Managing Agents”, occurring twice, the words “Managing Director” shall be *substituted*;
- (17) in Article 134, for the words “Managing Agents” the words “Managing Director” shall be *substituted*;
- (18) in Article 135, the words “or the Managing Agents” shall be *omitted*;
- (19) in Article 138, the words “and the Managing Agents” shall be *omitted*;

(20) after Article 159, the following new Article shall be added, namely:—

“160. **Agreements to apply notwithstanding Articles.**—
Notwithstanding anything contained in these Articles,—

- (a) the Directors shall raise or secure the discharge of the liabilities the Company took over by the bipartite Agreement and tripartite Agreement by creation of mortgage or charge on the undertaking of the whole of property of the Company, both present and future, including its uncalled capital or by the issue of bonds perpetual or redeemable debentures or debenture stock of the Company, both present or future, including its uncalled capital for the time being and after the aforesaid liabilities are discharged, the Directors may raise or secure the repayment of any sum of liability in such manner and upon such security over the assets of the company as may be thought prudent;
- (b) the Company shall act as per the provisions of the bipartite Agreement till the liabilities specified in these Agreements are discharged in full.

Explanation.—In this Article,—

- (a) “bipartite Agreement” means the bipartite Agreement entered into by the company with the Government on the 30th day of November, 1982.
- (b) “Tripartite Agreement” means the Tripartite Agreement entered into by the company with the Government and the Bangladesh Jute Mills Corporation on 30th day of November, 1982.

By order of the President
SK. ABDULLAH
Deputy Secretary (ID).

MINISTRY OF COMMERCE

NOTIFICATION

Dhaka, the 28th October 1984

No. S.R.O. 464-L/84.—In exercise of the powers conferred by sub-section (1) of section 3 of the Imports and Exports Control Act, 1950 (XXXIX of 1950), the Government is pleased to prohibit the export of the following items up to 31st December 1984, namely:—

Sl. No.	Name of the items.
1	Mollasses.
2	Rice Bran.
3	Oil Cake.

By order of the President
GHULAM RAHMAN
Deputy Secretary.

MINISTRY OF FINANCE

Internal Resources Division

NOTIFICATIONS

Dhaka, the 28th October 1984

No. S.R.O. 465-L/84.—In pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the President, after consultation with the Bangladesh Public Service Commission, is pleased to make the following rules, namely:—

THE SUBORDINATE EXECUTIVE POSTS (COLLECTORATES OF CUSTOMS AND EXCISE) RECRUITMENT RULES, 1984.

1. **Short title.**—These rules may be called the Subordinate Executive Posts (Collectorates of Customs and Excise) Recruitment Rules, 1984.

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

- (a) “appointing authority” means the Government and includes any officer authorised by the Government to make appointment to a specified post;
- (b) “Commission” means the Bangladesh Public Service Commission;
- (c) “probationer” means a person appointed on probation to a specified post;
- (d) “recognised University” means a University established by or under any law for the time being in force and includes any other University declared by the Government, after consultation with the Commission, to be a recognised University for the purposes of these rules;
- (e) “requisite qualification” in relation to a specified post, means the qualification laid down in the Schedule in relation to that post;
- (f) “Schedule” means the Schedule annexed to these rules; and
- (g) “specified post” means a post specified in the Schedule.

3. **Procedure for recruitment.**—(1) Subject to the provisions of the Schedule, appointment to a specified post shall be made—

- (a) by direct recruitment; or
- (b) by promotion.

(2) No person shall be appointed to a specified post unless he has the requisite qualification and in the case of direct recruitment, he is also within the age limit laid down in the Schedule for that post.

4. **Appointment by direct recruitment.**—(1) Subject to the provisions of the Bangladesh Public Service Commission (Consultation) Regulations, 1979, no appointment to a specified post by direct recruitment shall be made except upon the recommendation of the Commission.

(2) No person shall be eligible for appointment to a specified post by direct recruitment, if he—

- (a) is not a citizen or a permanent resident of, or domiciled in Bangladesh; or
- (b) is married to, or has entered into a promise of marriage with, a person who is not a citizen of Bangladesh.

(3) No appointment to a specified post by direct recruitment shall be made until—

- (a) the person selected for appointment is certified by a Medical Board set up for the purpose by the Director General of Health Services or, as the case may be, an authorised Medical Officer that he is medically fit for such appointment and that he does not suffer from any such organic defect as is likely to interfere with the discharge of the duties of that post; and
- (b) the antecedents of the person so selected have been verified through appropriate agencies and found to be such as do not render him unfit for appointment in the service of the Republic.

(4) No person shall be recommended for appointment to a specified post unless—

- (a) he applied in such form, accompanied by such fee and before such date as was notified by the Commission while inviting applications for that post; and
- (b) in the case of a person already in Government service or in the service of a local authority, he applied through his official superior.

5. Appointment by promotion.—(1) Appointment to a specified post shall be made on the recommendation of such Departmental Promotion Committee as the Government may constitute in this behalf:

Provided that appointment by promotion to a post of higher class shall be made on the recommendation of the Commission.

(2) A person shall not be eligible for appointment by promotion to a specified post if he has unsatisfactory records of service.

6. Probation.—(1) Persons selected for appointment to a specified post against a substantive vacancy shall be appointed on probation,—

- (a) in the case of direct recruitment, for a period of two years from the date of appointment; and
- (b) in the case of promotion, for a period of one year from the date of such appointment:

Provided that the appointing authority may, for reasons to be recorded in writing, extend the period of probation by a period or periods so that the extended period does not exceed two years in the aggregate.

(2) Where, during the period of probation of a probationer the appointing authority is of opinion that his conduct and work is unsatisfactory and that he is not likely to become efficient it may, before the expiry of that period,—

- (a) in the case of direct recruitment, terminate his service; and

(b) in the case of promotion, revert him to the post from which he was promoted.

(3) After the completion of the period of probation including the extended period, if any, the appointing authority,—

(a) if it is satisfied that the conduct and the work of the probationer has been satisfactory, shall, subject to the provisions of sub-rule (4), confirm him; and

(b) if it is of opinion that the conduct and work of the probationer during that period was not satisfactory, may,—

(i) in the case of direct recruitment, terminate his service; and

(ii) in the case of promotion, revert him to the post from which he was promoted.

(4) A probationer shall not be confirmed in a specified post until he has passed such examination and undergone such training as the Board may, from time to time direct.

SCHEDULE

Sl. No.	Name of the specified post.	Age limit for direct recruitment.	Method of recruitment.	Requisite qualification.
1	2	3	4	5
1	Superintendent		By promotion from among the Deputy Superintendents.	Two years of service in the feeder post specified in column 4.
2	Deputy Superintendent.		By promotion from among the Inspectors.	Five years of service in the feeder post specified in column 4.
3	Inspector	Not exceeding 25 years, relaxable up to 30 years for departmental candidates and the candidates from the Directorate of Inspection and Training (Customs and Excise).	(i) 70% by direct recruitment ; (ii) 25% by promotion from among the Head Assistants, Upper Division Assistants (Head Assistants), Stenographers, Upper Division Assistants, Cashiers and Stenotypists of the Collectrates of Customs and Excise and the Directorate of Inspection and Training (Customs and Excise) and 5% by promotion from among the Naik (Customs and Excise) and Havildar of the Collectrates of Customs and Excise.	<i>For direct recruitment:</i> (a) Bachelor's degree from a recognised University ; and (b) Height 5'-4" and 5'-2" for male and female respectively, and chest 30"-32" for both. <i>For promotion:</i> Must have qualified in the Departmental Promotion Examination and must be either confirmed or eligible for confirmation in their respective post with 5 years of service in the feeder post or posts specified in column 4.

If no suitable person is available for promotion, the vacancies in the 5% promotion quota shall be filled in by direct recruitment.

4 Naik (Customs and Excise).	By promotion from among the Sepoy (Customs and Excise) or Sepoys on the basis of seniority-cum-fitness.	5 years of service in a feeder post or posts specified in column 4.
5 Havilder	Ditto	Ditto.
6 Sepoy (Customs and Excise).	Between 18 and 27 years.	(a) Secondary School Certificate Examination passed from an Education Board recognised by the Government ; and (b) Height 5'-4" and 5'-2" for male and female respectively and chest 30"-32" for both.
7 Sepoy	Ditto	Ditto.

No. S.R.O. 466-L/84.—In pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the President, after consultation with the Bangladesh Public Service Commission, is pleased to make the following rules, namely:—

THE OFFICERS AND EMPLOYEES (CHEMICAL LABORATORIES OF CUSTOM HOUSES UNDER THE NATIONAL BOARD OF REVENUE) RECRUITMENT RULES, 1984.

1. **Short title.**—These rules may be called the Officers and Employees (Chemical Laboratories of Custom Houses under the National Board of Revenue) Recruitment Rules, 1984.

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

- (a) “appointing authority” means the Government and includes, in relation to any specified post or class of such posts, any officer authorised by the Government to make appointment to such post or class of posts;
- (b) “Board” means the National Board of Revenue;
- (c) “Commission” means the Bangladesh Public Service Commission;
- (d) “probationer” means a person appointed on probation to a specified post;
- (e) “recognised Board” means a Board of Intermediate and Secondary Education established by or under any law for the time being in force and includes any other Board declared by the Government, after consultation with the Commission to be a recognised Board for the purpose of these rules;
- (f) “recognised University” means a University established by or under any law for the time being in force and includes any other University declared by the Government, after consultation with the Commission, to be a recognised University for the purpose of these rules;
- (g) “requisite qualification”, in relation to a specified post, means the qualification laid down in the Schedule in relation to that post;
- (h) “Schedule” means the Schedule annexed to these rules;
- (i) “Selection Committee” means the Committee constituted with the approval of the Government for the purposes of selecting candidates for direct recruitment to a specified post; and
- (j) “specified post” means a post specified in the Schedule.

3. **Procedure for recruitment.**—(1) Subject to the provisions of the Schedule, appointment to a specified post shall be made—

- (a) by direct recruitment; or
- (b) by promotion.

(2) No person shall be appointed to a specified post unless he has the requisite qualification and, in the case of direct recruitment, he is also within the age limit laid down in the schedule for that post :

Provided that the upper limit of age may be relaxed in the case of a person who has already been appointed to a specified post on *ad hoc* basis, by such period as he may have been holding the post continuously as an *ad hoc* appointee.

4. Appointment by direct recruitment.—(1) No appointment to a specified post by direct recruitment shall be made except upon the recommendation of the Commission or the Selection Committee as specified in the Schedule.

(2) No person shall be eligible for appointment to a specified post by direct recruitment, if he—

(a) is not a citizen of Bangladesh, or a permanent resident of, or domiciled in, Bangladesh :

Provided that this clause shall not apply in the case of a person who is already in the service of the Republic;

(b) is married to, or has entered into a promise of marriage with, a person who is not a citizen of Bangladesh.

(3) No appointment to a specified post by direct recruitment shall be made until—

(a) the person selected for appointment is certified by a Medical Board set up for the purpose by the Director-General of Health Services or, as the case may be, by a Medical Officer authorised by the Government in this behalf to be medically fit for such appointment and that he does not suffer from any such organic defect as is likely to interfere with the discharge of the duties of the specified post; and

(b) the antecedents of the person so selected have been verified through appropriate agencies and found to be such as do not render him unfit for appointment in the service of the Republic.

(4) No person shall be recommended for appointment to a specified post unless—

(a) he applied in such form, accompanied by such fee and before such date, as was notified by the Commission or, as the case may be, the appointing authority while inviting applications for the specified post; and

(b) in the case of a person already in Government service or in the service of a local authority, he applied through his official superior.

5. Appointment by promotion.—(1) Appointment by promotion to a specified post shall be made on the recommendation of such Departmental Promotion Committee as the Government may constitute in this behalf :

Provided that appointment by promotion to a specified post of higher class shall be made on the recommendation of the Commission.

(2) A person shall not be eligible for appointment by promotion to a specified post if he has unsatisfactory records of service.

6. **Probation.**—(1) A person selected for appointment to a specified post against a substantive vacancy shall be appointed on probation,—

- (a) in the case of direct recruitment, for a period of two years from the date of substantive appointment; and
- (b) in the case of promotion, for a period of one year from the date of such appointment :

Provided that the appointing authority may, for reasons to be recorded in writing, extend the period of probation by a period or periods so that the extended period does not exceed two years in the aggregate.

(2) Where, during the period of probation of a probationer the appointing authority is of opinion that his conduct and work is unsatisfactory or that he is not likely to become efficient, it may, before the expiry of that period,—

- (a) in the case of direct recruitment, terminate his service; and
- (b) in the case of promotion, revert him to the post from which he was promoted.

(3) After the completion of the period of probation including the extended period, if any, the appointing authority,—

- (a) if it is satisfied that the conduct and work of the probationer during his period of probation has been satisfactory, shall, subject to the provisions of sub-rule (4) confirm him; and
- (b) if it is of opinion that the conduct and work of the probationer during that period was not satisfactory, may,—
 - (i) in the case of direct recruitment, terminate his service; and
 - (ii) in the case of promotion, revert him to the post from which he was promoted.

(4) A probationer shall not be confirmed in a specified post until he has passed such examination and undergone such training as the Board may, from time to time, direct.

SCHEDULE

Sl. No.	Name of the specified post.	Age limit for direct recruitment.	Method of recruitment.	Qualification.
1	2	3	4	5
1	Chemical Examiner	..	By promotion from amongst the Assistant Chemical Examiners.	At least 7 years' service as Assistant Chemical Examiner.
2	Assistant Chemical Examiner.	..	By promotion from amongst the Senior Chemical Assistants.	At least 3 years' service as Senior Chemical Assistant.
3	Senior Chemical Assistant.	..	By promotion from amongst the Chemical Assistants.	At least 5 years' service as Chemical Assistant.
4	Chemical Assistant	Between 18 and 25 years.	By direct recruitment on the recommendation of the Commission.	Master's degree in Chemistry or Applied Chemistry or Pharmaceutical Chemistry or Bachelor's degree in Science with Textile Technology, from a recognised University.
5	Laboratory Attendant	Between 18 and 25 years.	By direct recruitment on the recommendation of the Selection Committee.	Secondary School Certificate in Science Group from a recognised Board.

By order of the President
S. B. CHAUDHURI
Secretary.

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