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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF ESTABLISHMENT
NOTIFICATION

Dhaka, the 20th February, 1986

No. S.R.O. 64-L/86.—In exercise of the powers conferred by section 3 of the Official Vehicles (Regulation of Use) Ordinance, 1986 (VI of 1986), the Government is pleased to make the following rules, namely:—

THE OFFICIAL VEHICLES (REGULATION OF USE) RULES, 1986.

1. (a) These rules may be called the Official Vehicles (Regulation of Use) Rules, 1986.

(b) They shall come into force at once.

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

(a) "competent authority" means,—

- (i) in the case of a person in the service of the Republic, a person or persons specified by the Government to be a competent authority;
- (ii) in the case of a person in the service of any local authority, a person or persons specified by the head of the local authority concerned;

(b) "Local jurisdiction" means,—

- (i) in the case of a district official, the limits of the district concerned;
- (ii) in the case of Upazila official, the limits of the Upazila concerned; and
- (iii) in case of any other official, the limits of the district in which his office is situated.

(995)

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- (c) "Official Vehicle" means a vehicle belonging to, or provided by, the Government or, as the case may be, any other organisation;
- (d) "public servant" means a person in the service of the Republic and includes a chairman, a director, trustee member, commissioner, teacher, officer or other employee of any local authority, statutory corporation, including a university, or any other body, authority or a organisation constituted or established by the Government or by or under any law, herein referred to as any other organisation, but does not include any person who:—
- (i) is a member of any defence services;
 - (ii) is a member of any law enforcing agency; or
 - (iii) holds any office which is filled by election under any law:

Provided that, in the case of a member of any law enforcing agency, this exception shall apply only to such member as is specifically authorised by his head of the department to use the official vehicle.

3. No public servant shall, subject to the provisions of rules 4, use an official vehicle, unless—

- (a) he obtains from the competent authority a requisition slip for the use of the vehicle for official or private purpose; and
- (b) a board inscribing the words "on payment" is displayed in the case of the use of the vehicle for any private purpose, on its front bumper.

4. No public servant entitled to whole-time use of an official vehicle shall use such vehicle—

- (a) without keeping "p" disc and a certificate from the competent authority indicating such entitlement; or
- (b) for any journey to a distance which is beyond the limits specified in the instructions issued in this behalf by the Government from time to time.

5. (1) Notwithstanding anything contained in rule 3 or rule 4, no public servant shall, subject to the provisions of sub-rule (2), use any official vehicle or journey beyond his local jurisdiction, if any, or beyond the radius of twenty-five miles from his office or official residence, whichever is applicable:

Provided that the provisions of this rule shall not apply to a public servant who falls within the scope of the exceptions made in the Chief Martial Law Administrator's Secretariat letter No. 7009/2/Civ-1, dated 5th May 1983, 14th July 1983, 22nd September 1983 and 21st November 1985.

(2) A public servant may, however, use an official vehicle, on payment, for journey up to radius of thirty miles from his office or official residence to visit a place recognised by the Government as a park, recreational spot or place of historical interest.

6. No public servant shall drive an official vehicle himself nor shall he allow any member of his family or any other person to drive such vehicles:

Provided that a public servant entitled to whole-time use of an official vehicle may drive the vehicle himself if he is in possession of a valid driving licence.

7. No driver of an official vehicle shall—

- (a) bring out such vehicle without keeping with him in respect of the vehicle an up-to-date log book containing such particulars as may be specified by the Government;
- (b) use the vehicle for any private purpose unless he is satisfied that the requirements of these rules in respect of such use have been complied with; and
- (c) make any false statement in respect of the vehicle to any authority or person authorised by the Government to check the vehicle or make any false entry in the log book in respect of the use of the vehicle; or
- (d) leave the vehicle unattended while on duty.

8. (1) An official vehicle may, for the purpose of preventing misuse, be checked,—

- (i) by a police officer not below the rank of a sergeant; or
- (ii) by such other agency as the Government may, by general or special order, specify from time to time in this behalf.

(2) If, on receipt of the report of checking under sub-rule (1), the Commissioner of the Metropolitan Police, the Superintendent of Police or as the case may be, the authorised agency concerned is satisfied that misuse of any official vehicle has taken place, he shall report the matter to the person or authority specified in rule 9(1).

9. (1) A public servant who contravenes any provision of these rules shall be liable,—

- (i) in a case where the contravention relates to an unauthorised use of official vehicle within his local jurisdiction, if any, or within the radius of twenty-five miles from his office or official residence, to a fine of one hundred taka;
- (ii) in a case where the contravention relates to an unauthorised use of an official vehicle beyond his local jurisdiction, if any, or beyond the radius of twenty-five miles from his office or official residence, to a fine of,—
 - (a) if the vehicle used was a car or a jeep, ten taka per mile;
 - (b) if the vehicle used was microbus, fifteen taka per mile;
- (iii) to pay compensation to the owner of the vehicle for the pecuniary loss, if any, caused to the vehicle by way of damage or otherwise:

Provided that the compensation to be paid under this clause shall not exceed the value of the vehicle.

(2) The fine imposed on, and the compensation payable by, a public servant under sub-rule (1) shall,—

- (i) in the case of a public servant who is in service, be recovered by his office from his monthly salary in such manner as the Government may determine; and
- (ii) in the case of a public servant who has retired or has been retired, dismissed or otherwise removed from service, be recovered as a public demand.

10. (1) The contravention of any provision of these rules shall be reported to the person or authority by whom or which the vehicle has been allotted and such person or, as the case may be, authority shall, after having been satisfied that the public servant concerned has actually contravened such provision, impose on the public servant any of the penalties specified in sub-rule of rule 9.

(2) The persons or authority giving a decision on the contravention of any provision of these rules and imposing a penalty on a public servant or directing him to pay compensation shall, subject to the provisions of sub-rule (3), immediately after giving his decision, communicate it to the office of the public servant concerned for necessary action as per provisions of these rules.

(3) Where the contravention relates to an unauthorised use an official vehicle beyond the local jurisdiction, if any, of the public servant concerned or beyond the radius of twenty-five miles from his office or official residence, the person or the authority imposing the fine for such contravention shall pass an order for seizure and deposit of the vehicle in the Central Transport Pool of the Directorate of Government Transports and the vehicle shall not be released to the public servant concerned until he produces to the Transport Commissioner a receipted Treasury Challan showing the deposit of the fine payable for such contravention under the head "65—Misc—Non-Tax-Rev-Misc".

11. The Government may, by order, authorise such officer or authority as it may deem fit to monitor the matters relating to imposition and realisation of fine and compensation and seizure and release of official vehicles under these rules.

By order of the President

MD. SHAMSUL HAQUE CHISHTY
Secretary.