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

Recruitment Section

NOTIFICATION

Dhaka, the 5th February, 1985

No. S. R. O. 66-L/85/ME/Rectt/1-2/78(Part-I).—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 amendments in the Industrial Management Service (Abolition, Absorption and Fixation of Seniority) Rules, 1982, namely:—

In aforesaid Rules,—

- (a) in rule 4, in sub-rule (3), the words "shall remain on probation for such period and" shall be *omitted*; and
- (b) in rule 5, for the second and the third provisos the following shall be *substituted*, namely:—

"Provided further that no absorbed officer shall be eligible for promotion to any post carrying the New National Scale of Tk. 1400—2225 unless he completes at least two years of service in a post in the New National Scale of Tk. 1150—1800 and undergoes such training and passes such departmental examination required under sub-rule (3) of rule 4, and on promotion he shall take seniority in the promoted post over his juniors, if any, already promoted to that post, but shall not be entitled to any arrear financial benefit."

By order of the President

MD. SHAMSUL HAQUE CHISHTY

Secretary.

(1161)

Price: 50 Paise

MINISTRY OF JUTE AND TEXTILES

NOTIFICATION

Dhaka, the 6th February, 1985

No. S. R. O. 67-L/85.—In exercise of the power conferred by the clause (3) of Article 4 of Bangladesh Industrial Enterprises (Nationalisation) Order, 1972 (P.O. No. 27 of 1972), the Government is pleased to omit M/s. Gawsia Jute Mills Limited from the First Schedule to the said Order.

By order of the President

SK. ABDULLAH

Deputy Secretary (ID).

NOTIFICATION

Dhaka, the 6th February, 1985

No. S. R. O. 68-L/85.—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. Gawsia Jute Mills Limited from the First Schedule to the said Order;

d 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. Gawsia Jute Mills Limited, namely:—

1. In the aforesaid Memorandum of Association,—

(a) throughout the Memorandum of Association, unless otherwise provided,—

- (i) for the words "East Pakistan" the word "Bangladesh" shall be substituted;
- (ii) for the word "Pakistan" the word "Bangladesh" shall be substituted; and
- (iii) for the words "Rs" and "Rupees" the word "Taka" shall be substituted;

(b) in paragraph III,—

- (i) in clause (30), for the words and commas "any Government, sovereign ruler, commissioner, public body or authority supreme, municipal, local or otherwise" the words "the Government, local body or authority" shall be substituted;
- (ii) in clause (39), for the words and commas "any local Government or any other Government or any Native state or with any authorities, public, municipal, local railway or otherwise or with any other person that may seem conducive to the company's objects or any of them and to obtain from any such Government, Native State, authority" the words and comma "with any local body or

authority or with any other person that may seem conducive to the Company's objects or any of them or to obtain from the Government, such body or authority" shall be *substituted*;

- (iii) in clause (40), for the words and commas "Pakistan, Indian Union," the words and commas "Bangladesh, Pakistan, India," shall be *substituted*; and
- (iv) in clause (51), for the words "Pakistan nationals" the word "Bangladeshis" shall be *substituted*.

2. In the aforesaid Articles of Association,—

(1) throughout the Articles of Association, unless otherwise provided,—

- (i) for the word "Pakistan" the word "Bangladesh" shall be *substituted*; and
- (ii) for the words "Rs" and "Rupees" the word "Taka" shall be *substituted*;

(2) in Article 2, for the definition of "The managing agents" the following shall be *substituted*, namely:—

"Government" means the Government of the People's Republic of Bangladesh.";

(3) Article 3 shall be *omitted*;

(4) in Article 78, the words "Managing Agents or" shall be *omitted*;

(5) Article 82 shall be *omitted*;

(6) for Article 129, the following shall be *substituted*, namely:—

"129. (1) Until otherwise determined by a general meeting the number of Directors shall not be less than three and more than eleven:

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 interest:

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 or as capital infusion during the period of its nationalisation are not fully paid to the Government.

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

(7) Article 130A shall be *omitted*;

(8) Article 131 shall be *omitted*;

(9) in Article 136, the words "and *ex-officio* Director" shall be *omitted*;

(10) in Article 138, for the words and figure "the sum of Rs 100" the words "such sum as may be fixed in consultation with the Comptroller of Capital Issues" shall be *substituted*;

- (11) in Article 142,—
- (a) for the words "office of the Director" the words and commas "Office of a Director, other than an *ex-officio* Director," shall be *substituted*;
 - (b) in paragraph (e), the brackets and words "(Subject to the provisions of the Act the office of Managing agent shall not be deemed to be an office of profit for the purpose of this sub-clause)" shall be *omitted*; and
 - (c) in paragraph (k), the word "Pakistan" shall be *omitted*;
- (12) in Article 146, the comma and words ", Managing Agent" shall be *omitted*;
- (13) in Article 148, the words and letters "and ICP Director" shall be *omitted*;
- (14) in Article 149, the brackets, words and letters "(other than *ex-officio* Director and ICP Director)" shall be *omitted*;
- (15) in Article 160, for the words "Managing Agents" the words "Managing Director" shall be *substituted*;
- (16) for Article 164, the following shall be *substituted*, namely :—
"164. The quorum of Directors meeting shall consist of at least three Directors including an *ex-officio* Director present in person.";
- (17) in Article 168, for the words "Managing Agents" the words "Managing Director" shall be *substituted*;
- (18) in Article 171, for the comma and words ", Managers and Managing Agents" the words "and Managers" shall be *substituted*;
- (19) in Article 173,—
- (a) the words "and subject to their supervision and control the Managing Agents in addition to the power and authorities by these presents expressly conferred upon them" shall be *omitted*; and
 - (b) the words "or Managing Agents" shall be *omitted*;
- (20) in Article 174, the words "and subject to their supervision and control the Managing Agents" shall be *omitted*;
- (21) Articles 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185 and 186 shall be *omitted*;
- (22) in Article 199, for the words "Managing Agents" the words "Managing Director" shall be *substituted*;
- (23) in Article 208 for the words and commas "the Managing Agents, if any, and the Directors respectively" the word "Directors" shall be *substituted*;
- (24) in Article 210, the words "and by the Managing Agents" shall be *substituted*;

(25) in Article 129,—

(a) in clause (a), the words “the Managing Agents and” shall be *omitted*; and

(b) the words and comma “Managing Agents,” shall be *omitted*;

(26) after Article 235, the following new Article shall be *added*, namely:—

“236. 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; and

(b) the Company shall act as per the provisions of the bipartite Agreement till the liabilities specified in these Agreement 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 23rd January, 1983; and

(b) “tripartite Agreement” means the tripartite Agreement entered into between the Company, the Government and the Bangladesh Jute Mills Corporation.”

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

MINISTRY OF FINANCE

Finance Division

Aqmn. Section-II

NOTIFICATION

Dhaka, the 6th February, 1985

No. S. R. O. 69-L/85.—In pursuance of the Proclamation of the 24th March, 1982 and in exercise of all powers enabling him in that behalf, the President is pleased to make the following rules, namely:—

THE CASH ACCOUNT OFFICERS (OFFICE OF THE CONTROLLER OF ORDINANCE FACTORIES ACCOUNTS) RECRUITMENT RULES, 1985

1. *Short title.*—These rules may be called The Cost Accounts Officers (Office of the Controller of Ordinance Factories Accounts) Recruitment Rules, 1985.

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 the specified post.
- (b) “Commission” means the Bangladesh Public Service Commission;
- (c) “probationer” means a person appointed on probation to the 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 purpose of these rules;
- (e) “requisite qualification” in relation to the specified post, means the qualifications laid down in the Schedule in relation to that post;
- (f) “Schedule” means the Schedule annexed to these rules; and
- (g) “specified post” means the post specified in the Schedule.

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

- (a) by direct recruitment;
- (b) by promotion; or
- (c) by transfer on deputation.

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

4. **Appointment by direct recruitment.**—(1) No appointment to the specified post by direct recruitment shall be made except upon the recommendation of the Commission.

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

- (a) is not a citizen of Bangladesh or a permanent resident of 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 the 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 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 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 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.**—Subject to the provisions of the Schedule, appointment by promotion to the specified post shall be made on the recommendation of such Departmental Promotion Committee as the Government may constitute in this behalf.

6. **Probation.**—(1) Persons selected for appointment to the specified post otherwise than by transfer or deputation 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 the specified post until he has passed such examination and undergone such training as the Government may, from time to time, direct by order.

ANNEXURE-II

Sl. No.	Name of the specified post.	Age limit for direct recruitment.	Method of recruitment.	Qualification.
	Cost Accounts Officer	Not exceeding 35 years, relaxable by 5 years in the case of a person who is in the service of the Republic or of an autonomous body.	By direct recruitment OR By promotion from amongst the Audit and Accounts Officers and Deputy Assistant Controllers of Military Accounts in the NNS of Tk. 750—1470.	<i>For direct recruitment.</i> —First Class Masters' Degree or Second Class Honours Degree with Second Class Masters Degree in Commerce with specialisation in Accountancy from a recognised University and 5 years experience in the line.
			OR	OR
			When none is found suitable either for direct recruitment or for promotion, by transfer on deputation of an Officer of equivalent rank and status.	An ACMA or, FCMA having experience in Cost and Management Accounting in Government or Autonomous bodies.
				<i>For promotion.</i> —7 years' service in the feeder post.

By order of the President
DEBRANJAN CHAKRAVORTY
Deputy Secretary (Admn. D).