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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

SUMMARY MARTIAL LAW COURT  
SATKHIRA, KHULNA

PROCLAMATIONS

Whereas it has been made to me that accused (1) Rabial Islam *alias* Rabi, son of Nizamuddin and (2) Joynal, son of Ansar Ali, both of Ganapati, P.S. Kaligonj, District Khulna, are required for the purpose of trial in the Summary Martial Law Court, Satkhira, under Martial Law Regulation No. 19, R/W 156(8) Custom Act in connection with GR. 1123/76 and Kaligonj P.S. Case No. 7, dated 5th November 1976;

And whereas the Court has sufficient reason to believe that the said accused persons are absconding themselves to avoid the appearance for the purpose;

Now, therefore, the aforesaid persons are directed to appear in this Court on 24th March 1977 failing which they will be tried *in absentia* and their properties may be forfeited to the Government.

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Whereas it has been made to appear to me that accused Julfikur Gazi *alias* Julu, son of Menhajuddin Gazi of Kapshanda, P.S. Assasuni, District Khulna, is required for the purpose of trial in the Summary Martial Law Court, Satkhira, under Martial Law Regulation No. 19 M.L.R. 156(8) C. Act in connection with GR. 573/76 and Assasuni P.S. Case No. 4, dated 24th June 1976;

And whereas the Court has sufficient reason to believe that the said accused person is absconding himself to avoid the appearance from the said purpose;

Now, therefore, the aforesaid person is directed to appear in this Court on 22nd March 1977 failing which he will be tried *in absentia* and his properties may be forfeited to the Government.

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(4897)

Price: 50 Paisa.

Whereas it has been made to appear to me that accused (1) Md. Abdul Hakim, son of late Monjil Ali of Bhatpara, P.S. Satkhira, District Khulna, is required for the purpose of trial in Summary Martial Law Court, Satkhira, under Martial Law Regulation No. 19, R/W 156(8) Custom Act in connection with GR. 828/76 and Satkhira P.S. Case No. 32, dated 19th August 1976;

And whereas the Court has sufficient reason to believe that the said accused person is absconding himself to avoid the appearance for the said purpose;

Now, therefore, the aforesaid person is directed to appear in this Court on 22nd March 1977 failing which he will be tried *in absentia* and his properties may be forfeited to the Government.

Whereas it has been made to appear before me that accused (1) Javed Ali Gazi, son of Nasib Gazi of Nangla, P.S. Debhata, District Khulna, is required for the purpose of trial in the Summary Martial Law Court, Satkhira, under Martial Law Regulation No. 19, R/W 156(8) Custom Act in connection with GR. Case No. 1137/76 and Debhata P.S. Case No. 4, dated 9th November 1976;

And whereas the Court has sufficient reason to believe that the said accused person is absconding himself to avoid the appearance for the said purpose;

Now, therefore, the aforesaid person is directed, to appear in this Court on 24th March 1977 failing which he will be tried *in absentia* and his properties may be forfeited to the Government.

Whereas it has been made to appear to me that accused Mander Ali, son of late Ali of Bharashimla, P.S. Kaligonj, District Khulna, is required for the purpose of trial in the Summary Martial Law Court, Satkhira under Martial Law Regulation No. 19 read with section 156(8) Custom Act in connection with GR. Case No. 1197/76 and Kaligonj P.S. Case No. 21, dated 25th November 1976;

And whereas the Court has sufficient reason to believe that the said accused person is absconding himself to avoid the appearance for the said purpose;

Now, therefore, the aforesaid person is directed to appear in this Court on 28th March 1977 failing which he will be tried *in absentia* and his properties may be forfeited to the Government.

M. M. ZAMAN

*Presiding Officer*

*Summary Martial Law Court  
Satkhira, Khulna.*

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## MINISTRY OF COMMUNICATIONS

Railways, Roads and Highways and Road Transport Division

### RESOLUTION

Dacca, the 11th March, 1977.

No. RHBP/1S-2/75-256.—On perusal of the report submitted by the Chief Engineer, Roads and Highways Department, regarding huge shortage found in respect of Pakur Stone supplied from India against contract No. S-Cont/14/Stone/1/73-74/20, dated 31st December 1973 of the Directorate of Supply and

Inspection, Ministry of Commerce, Government have been pleased to decide and order to cause an enquiry into the whole affair by an Enquiry Committee comprising the following :—

- (1) Mr M. Mustafizur Rahman, Joint Secretary, In-charge, Inspection Division, Ministry of Finance—*Chairman*.
- (2) Director of Supply and Inspection, Ministry of Commerce—*Member*.
- (3) Deputy Chief Engineer (Mechanical Resources and Inspection), Roads and Highways Department—*Member-Secretary*.

2. The terms of reference of the Enquiry Committee will be as under :

- (a) To find out the extent of the shortage and to determine the overall loss incurred by the Government and to fix the responsibility for the same.
- (b) To examine whether the amendments subsequently made in the afore-said contract in respect of inspection clause was done under proper authority and whether it was in the interest of Government. If not, to fix the responsibility in the matter.
- (c) To scrutinize whether the Bank Guarantee given by the supplier under the contract agreement was valid for the entire delivery period. If not, to fix responsibility for lapses in the matter.
- (d) To enquire into any other point which may come to light during the enquiry in which the Government interest may have suffered in respect of the abovementioned contract.

3. The Committee will submit its report to the Government in the Railways, Roads and Highways and Road Transport Division, Ministry of Communications, within a month and half from the date of its first meeting.

4. Ordered that this Resolution be published in the Official Gazette.

By order of the President

M. M. ZAMAN  
*Secretary.*

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## MINISTRY OF FINANCE

### Finance Division

### NOTIFICATION

Dacca, the 11th March, 1977.

**No. S.R.O. 85-L/77.**—In exercise of the powers conferred by Article 36 of Bangladesh House Building Finance Corporation Order, 1973 (P.O. No. 7 of 1973), the Government is pleased to make the following Rules, namely :

### THE BANGLADESH HOUSE BUILDING FINANCE CORPORATION (DIRECT SALE OF MORTGAGED PROPERTY) RULES, 1977.

1. (1) These rules may be called the Bangladesh House Building Finance Corporation (Direct Sale of Mortgaged Property) Rules, 1977.
- (2) These rules shall come into force at once.

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

- (a) "Article" means an Article of the Order;
- (b) "Form" means a form annexed to these rules;
- (c) "mortgaged property" means the property pledged, mortgaged, hypothecated or assigned to the Corporation; and
- (d) "nominated officer" means the officer nominated by the Managing Director under rule 7.

3. A separate Register with appropriate columns shall be prepared and maintained in all the Zonal, Regional and Sub-Regional Offices in respect of those borrowers or their sureties who have made default in repayment of loan and against whom action can be taken under Article 26.

4. The Zonal, Regional and Sub-Regional Managers of all Zonal, Regional and Sub-Regional Offices, as the case may be, shall report to the respective Chief Manager the cases of default in making repayment of loan within 30 days from the date of such default with detailed particulars of each such case.

5. On receipt of a report under rule 4, the Chief Manager shall cause to be prepared and maintained a Register in Form-A in his office and shall send by registered post with acknowledgement due a notice upon the borrower and his surety, if any, to show cause within 21 days of the receipt of the notice as to why the mortgaged property shall not be directly sold by the Corporation either by public auction or by calling public tender for realisation of the outstanding loan with interest of the Corporation.

6. (1) After the expiry of the period of the notice given under rule 5, the Chief Manager shall submit the case to the Managing Director through the General Manager with the cause, if any, shown by the borrower and his surety, if any, for orders.

(2) Where a borrower or his surety has not shown any cause in pursuance of the notice given under rule 5, the Managing Director may make order for the sale of the mortgaged property either by public auction or by calling public tender and thereupon the proceedings for sale shall commence.

(3) Where a borrower or his surety has shown cause in pursuance of the notice given under 5, the Managing Director may make such orders as he deems fit.

(4) The borrower or his surety aggrieved by any order made by the Managing Director under sub-rule (3) may, within 21 days of the making of the order, make an application for revision to the Government whose decision thereon shall be final.

(5) If an order made under sub-rule (3) or sub-rule (4) is for the sale of the mortgaged property, the proceedings for sale shall commence.

7. (1) The Managing Director shall nominate an officer of the Corporation for conducting the sale of the mortgaged property and the nominated officer shall publish in two daily newspapers, one in Bengali and one in English, a notice for sale with particulars of the mortgaged property and the claim and

dues of the Corporation and call public tenders for purchasing the mortgaged property within a specified period or invite bidders in the auction sale to be held on a specified date, time and place;

(2) A notice for sale published under sub-rule (1) shall lay down the conditions specified in rule 9;

(3) A notice for sale published under sub-rule (1) shall, at least 10 days before the date fixed for sale either by calling public tender or by public auction, be hung up on the mortgaged property to be sold and also in the Notice Board of—

- (a) the office of the Corporation from where the loan was made;
- (b) the Courts of the Munsif and the District Judge within whose jurisdiction the mortgaged property situates; and
- (c) the Police-Station concerned;

8. (1) If no bidder or tenderer is forthcoming to purchase the mortgaged property, the nominated officer may adjourn the sale and put the mortgaged property again on public auction, or call public tender, in accordance with the provisions of rule 7.

(2) The Corporation may accept or reject all or any bids or tenders without assigning any reason therefor.

(3) The nominated officer may also sell the mortgaged property by private negotiations with the approval of the Managing Director, if the requisite consideration money for the mortgaged property is not offered by any bidder or tenderer.

9. (1) The bidder or tenderer whose bid or tender is accepted shall have to deposit, within one day of the said acceptance, half of the bid money or tender money in any branch of the Sonali Bank in the account of the Corporation and, in the absence of the Sonali Bank, in such Bank as may be directed by the nominated officer and in default of such deposit the bid or tender shall stand rejected.

(2) If the bidder or tenderer has made the deposit as required under sub-rule (1), he shall deposit the balance amount within 14 days from the date of the auction or acceptance of the tender and, in default of such deposit, the half of the bid money or tender money deposited under sub-rule (1) shall stand forfeited to the Corporation and the mortgaged property shall be resold.

10. When the full sale price of a mortgaged property has been deposited under rule 9, a Sale Certificate in Form-B shall be given by the Managing Director or any officer authorised by the Corporation in this behalf to the purchaser of the property.

11. After the issuance of the Sale Certificate under rule 10, an officer of the Corporation shall deliver possession including vacant possession of the mortgaged property to the purchaser.

12. After the sale of the mortgaged property, if there is any surplus money left out after the full satisfaction of the dues of the Corporation from the sale proceeds, the Corporation shall return the surplus money to the owner of the mortgaged property and until so returned, the same shall be kept in the Suspense Account of the Corporation.

By order of the President  
M. A. MALIK  
Joint Secretary.

## FORM A

THE BANGLADESH HOUSE BUILDING FINANCE CORPORATION  
22, Purana Paltan, "BHBF Building", Dacca.

## REGISTER OF SALE OF MORTGAGED PROPERTY

[See rule 5 of the House Building Finance Corporation (Direct Sale of Mortgaged Property) Rules, 1977.]

Sl. No.	Loan case number.	Name and address of the borrower	Amount of loan sanctioned and paid.	Number of monthly instalments defaulted.	Amount of default including interest as on.....		Total dues.	Entire Balance of loan including interest as on.....	Full particulars of the mortgaged property to be sold.
					Principal	Interest			
1	2	3	4	5	6	7	8	9	10

Date of sale of deposit price.	How sold by auction or tender or negotiation.	Amount of price in auction or tender or negotiation.	Particulars of deposit of sale-proceeds.	Name and address of the purchaser.	Remarks	Signature of the Officer conducting the sale.

FORM B

THE BANGLADESH HOUSE BUILDING FINANCE CORPORATION

Head office : 22, Purana Paltan, HBFC Building, Dacca.

CERTIFICATE OF SALE OF MORTGAGED PROPERTY

[See rule 10 of the Bangladesh House Building Finance Corporation (Direct Sale of Mortgaged Property) Rules, 1977.]

This is to certify that Mr. .... son of ..... of ..... is the purchaser of the mortgaged property described in the Schedule below, at a Sale by Public Auction/Tender/Private negotiation on ..... day of ..... 19..... held at ..... for realising the dues of the Corporation. He has paid the full/consideration/bid/tender money amounting to Taka ..... (Taka ..... ) only under Receipt No. .... dated ..... at ..... Bank/Office ..... on ..... All rights, titles and interests in the property has, therefore, vested in the purchaser absolutely in accordance with the provisions of clause (2) of Article 26 of the Bangladesh House Building Finance Corporation Order, 1973.

Schedule of the Property referred to above.

All that ..... storied residential building and fixtures belong- ings thereto, constructed or erected on and including that piece and parcel of land measuring an area of ..... sq./yds./decimal/kathas or there-abouts situated in the Sub-Registration District ..... Mouza ..... P.S. .... layout plan No. .... prepared by ..... C.S. Khatian No. .... C.S. Plot No ..... Road No. .... corresponding to R.S. Khatian No. .... R.S. Plot No. .... and/or Govt./DIT Plot No. .... Block No. .... at ..... and delineated and bounded :

On the North by :  
On the South by :  
On the East by :  
On the West by :

Given under my hand and the seal of the Corporation this ..... day of ..... 19.....

*Managing Director/or any officer autho-  
rised by the Bangladesh House Building  
Finance Corporation.*

By order of the President

**CABINET SECRETARIAT**

Establishment Division

Regulation Wing

Section I.

**NOTIFICATIONS****Dacca, the 11th March, 1977.**

**No. S.R.O. 86-L/77/ED/R1/S-1/76-34.**—In exercise of the powers conferred by sub-clause (iii) of clause (a) of section 5 of the Public Service Commissions Ordinance, 1977 (Ord. VIII of 1977), the President is pleased to specify all temporary posts sanctioned for development projects or schemes approved for a term not exceeding five years, to be the posts in respect of appointment to which consultation with the Public Service (First) Commission or, as the case may be, Public Service (Second) Commission shall not be necessary.

**No. S.R.O. 87-L/77/ED/R1/S-37/76-35.**—In exercise of the powers conferred by sub-clause (iii) of clause (a) of section 5 of the Public Service Commissions Ordinance, 1977 (Ord. VIII of 1977), the President is pleased to specify all posts in National Pay Grades VII, VIII and IX under the National Board of Revenue to be the posts in respect of appointment to which consultation with the Public Service (Second) Commission shall not be necessary.

By order of the President

**A. RAHIM***Secretary,***OFFICE OF THE SUBDIVISIONAL OFFICER, SADAR (NORTH)  
MYMENSINGH****NOTIFICATIONS****Mymensingh, the 24th February 1977.**

**No. 480-G.**—In exercise of the power conferred upon me by section 25 of the Local Government Ordinance, 1976 and rule 42 of the Union Parishad (Election) Rules, 1976, I, Syed Khairul Islam, Subdivisional Officer, Sadar (North), Mymensingh and Prescribed Authority, do hereby publish the names of Ghyasuddin Bhuiyan, declared as Chairman of Kharua Union Parishad under Nandail Circle, Sadar (North) Subdivision, Mymensingh.

**Mymensingh, the 2nd March, 1977.**

**No. 537-G.**—In exercise of the powers conferred upon me by section 25 of the Local Government Ordinance, 1976 and rule 42 of the Union Parishad (Election) Rules, 1976, I, Syed Khairul Islam, Subdivisional Officer, Sadar (North), Mymensingh and Prescribed Authority, do hereby publish the names of Md. Abdul Bari and Md. Abdul Majid declared elected as Chairman of Jahangirpur Union Parishad and Singrail Union Parishads respectively under Nandail Circle of Sadar (North), Mymensingh.

**SYED KHAIRUL ISLAM***Subdivisional Officer.*

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