

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

শনিবার, জুন ৮, ১৯৯৬

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

প্রতিরক্ষা মন্ত্রণালয়

গণভবন কমপ্লেক্স

শেরে বাংলা নগর, ঢাকা

প্রজ্ঞাপন

তারিখ, ২৫শে জৈষ্ঠ, ১৪০৩/৮ই জুন, ১৯৯৬

নং এস আর ও ৮৭-আইন/৯৬—Army Act, 1952 (XXXIX of 1952) এর section 176A, Navy Ordinance, 1961 (XXXV of 61) এর section 178 এবং Airforce Act, 1953 (VI of 53) এর section 203 তে প্রদত্ত ক্ষমতাবলে সরকার Military Pensions (Commutation) Rules, 1960 এর নিম্নরূপ অধিকতর সংশোধন করিলেন, যথা:—

উপরি-উক্ত Rules এর (১) Rule 1 এর শেষে “Rules” শব্দটির পর “, 1960” কথা সংখ্যা সংযোজিত হইবে,

(২) rule 4 এর—

(ক) clause (a) তে “Rs. 2400”, “Rs. 2000”, “Rs. 2400”, “Rs. 400” এবং “Rs. 1600” শব্দ, সংখ্যা ও চিহ্নের পরিবর্তে যথাক্রমে—“Taka 2400”, “Taka 2000”, “Taka 2400”, “Taka 400”, এবং “Taka 1600”, শব্দ, সংখ্যা ও চিহ্ন প্রতিস্থাপিত হইবে ;

(খ) clause (b) তে “Rs. 240” শব্দ, সংখ্যা ও চিহ্নের পরিবর্তে “Taka 240” শব্দ, সংখ্যা ও চিহ্ন প্রতিস্থাপিত হইবে ;

(৯১৮৭)

ঢাকা ০.০০

(৩) rule 5 এর "from Pakistan or other Government Revenues" শব্দগুলি বিলম্বিত হইবে ;

(৪) rules 7, 8, 9, 10, 11 এবং 12 এর পরিবর্তে নিম্নরূপ rules 7, 8, 9, 10, 10A, 11, 12 এবং 12A প্রতিস্থাপিত হইবে, যথাঃ—

"7. **Application for Commutation.**—(1) Application for commutation shall be made in the form prescribed in Annexure II and submitted to the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government.

(2) An application under sub-rule (1) shall be accompanied by a copy of Treasury challan showing a deposit of Tk. 4.00 under the head "XXVII-A-Health-II-Misc-Fee for Medical Examination" in favour of 34 defence head and Tk. 12.00 shall be paid by the pensioner in cash to the board at the time of his medical examination to be retained and divided by the members of the board among themselves."

8. **Processing of Application :** (1) On receipt of the Application for Commutation under Rule 7, the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government shall arrange medical examination of the applicant by the Medical Board constituted by the Sanctioning Authority for this purpose.

(2) The Medical Board shall after examining the applicant, prepare a report in the form prescribed in Annexure III and send it to the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government.

(3) After receipt of the medical report the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government shall—

(a) Where the sanction for pension has already been received from the Sanctioning Authority, fill in the concerned portion of the application form and send it alongwith the medical report to the respective Financial Controller or Field Pay Office or any other specified office as fixed by the Government.

(b) Where the sanction for pension has not been received, action to be taken in accordance with clause (a) after obtaining the Sanction of pension from the sanctioning Authority.

(4) On receipt of the documents under sub-rules (3), the respective Finance Controller or Field Pay Office or any other specified office as fixed by the Government shall—

- (a) examine the same in view of the records maintained by that office;
- (b) upon satisfaction as to the prayer for commutation, issue a certificate stating therein Lump-sum payable on commutation and also any sum due from the individual as public claim;
- (c) forward to the Sanctioning Authority the said documents along with a copy of the said certificate; and
- (d) send a copy of the said certificate along with an intimation about the forwarding under clause (c) to the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government and the applicant.

9. **Sanction of Commutation.**—On receipt of the documents send by the respective Finance Controller or Field Pay Office or any other specified Office as Fixed by the Government, the Sanctioning Authority shall, upon satisfaction about the application, sanction the commutation payable to the applicant and shall send a copy of the sanction letter to the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government and also to the respective Finance Controller or Field Pay Office or any other specified office as fixed by the Government. The sanctioning authority may direct the applicant or the concerned office to furnish further information and may, in an appropriate case, refuse the commutation.

10. **Withdrawal of Application.**—(1) Where the commutation recommended by the respective Finance Controller or Field Pay Office or any other specified office as fixed by the Government, is not acceptable to the applicant, he may, with fifteen days of the receipt of the copy of the certificate referred to in rule 8(4) (d), withdraw his application for commutation by submitting another application in plain paper to the Sanctioning Authority with a copy thereof to the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government.

(2) If the applicant withdraws the prayer for commutation as per sub-rule (1), the Sanctioning Authority shall not sanction any commutation.

- 10A. **Re-examination of the applicant.**—Where the Sanctioning Authority refuses commutation on medical grounds or where the applicant withdraws his application under rule 10, the applicant may submit a fresh application after one year from such refusal or withdrawal, as the case may be. In the case of such fresh application all the foregoing provisions shall be followed.
11. **Commutation receivable by Family.**—(1) If an individual dies after rendering pensionable service, or during Leave Pending Retirement, or before sanction of the commutation by the Sanctioning Authority under rule 9, his family shall be entitled to receive commutation under this rules.
- (2) If a temporary—disability—pensioner dies during the disability period, his family shall be entitled to receive the commuted value, provided the pensioner was otherwise entitled to receive pension.
- (3) The commutation receivable by the family under sub-rule (1) or (2) shall be equal to the amount which the said individual would have received had he not died. However, in fixing up his age for the purpose of commutation, the provisions of rule 15 shall apply.
- (4) Where no application was made by the individual prior to his death, his nominee, if any or an adult member of his family authorised by other members or, in the absence of such authorisation, an adult member selected by the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government may submit to the Office an application for commutation under this rules in the form prescribed in Annexure II, in such a case, the provisions of rules 7, 8, 9, 10 and 10A shall apply as far as practicable except that medical examination certificate of the applicant shall not be necessary.
- (5) After commutation is sanctioned, whether pursuant to an application submitted before or after the death of the individual, the nominee or the adult member referred to in sub-rule (4) shall be allowed to receive the commuted value.
12. **Effective date of payment of Commuted Value.**—After sanction of the commutation, payments shall be made with effect from the date mentioned in the sanction letter.
- 12A. **Definition of Family.**—For the purpose of these Rules the word “family” has the same meaning as is assigned to it”.

(৫) rule 14 এর “President of Pakistan” শব্দগুলির পরিবর্তে “Government” শব্দ প্রতিস্থাপিত হইবে;

(৬) rule 16 বিলম্বিত হইবে;

(৭) Part II এবং উহার বিধানাবলী বিলম্বিত হইবে;

(৮) Annexure I এ তিনবার উল্লেখিত “Pakistan” শব্দটি বিলম্বিত হইবে;

(৯) Annexure II এবং III এর পরিবর্তে এতদসঙ্গে সংযুক্ত Annexure II এবং Annexure III প্রতিস্থাপিত হইবে;

এই সংশোধনী ৯ মে, ১৯৯০ হইতে কার্যকর হইবে।

রাষ্ট্রপতির আদেশক্রমে

এম এ হাকিম

প্রতিরক্ষা সচিব।

A. P. O. 177—179
Annexure II TO
APPENDIX 'C' TO
A. P. O. No. 177—179

Annexure II
COMMUTATION OF MILITARY PENSION
Form of Application
(See rules 7 and 8)

PART—A (to be filled in by applicant).

1. Name and rank of the pensioner and Corps/Regt from which he has retired.
2. (a) Date of Birth Date (b) Next Birthday Date Years Months
of the individual with age on such date
3. Where would you like to be medically examined ?
4. Have you on any previous occasion applied for permission to commute a portion of your pension; if so, with what result ?
5. What is the percentage of your pension do you now desire to commute ?
6. How do you desire the commutation money to be paid to you ? (Either through Bank or your authorised representative)
7. Date of Retirement.
8. Applicant's relationship with the Pensioner.

Date : _____

Signature of
Applicant _____
Name _____

(In Block Letters)

Address _____

PART-B(to be filled in by Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government after receiving medical report).

9. No. of Pension Payment Authority
(as per pension sanctioned)
10. Amount of Pension sanctioned per annum.
11. Effective date of Commutation of Pension (as per Medical Report)
12. (a) TS No.....
(b) Days..... Months..... Years.....

Date : _____

Signature
with designation of the Officer

A. P. O. 177—179
Annexure III TO
APPENDIX 'C' TO
A. P. O. No. 177—179

Annexure III

FORM OF MEDICAL BOARD REPORT FOR COMMUTATION OF MILITARY PENSION

1. No, Rank, Name and Corps/Regt of Pensioner_____
2. Date of Birth_____
3. Signature of the Pensioner_____

We have carefully examined the pensioner whose particulars are given above and are of the opinion that he is/is not in good health and has/has not the prospects of an average duration of life.

We therefore, recommend/do not recommend compliance with application to be allowed to capitalise a portion of his pension.

*But as he is suffering from _____ his age for the purpose of commutation should be taken to be (in words) _____ year(s) more than the actual age.

(N.B. * This portion will be crossed out where inapplicable but must be carefully completed in the case of impaired lives where compliance with the application is recommended with an addition to years of actual age.)

Date of Medical Examination _____

1. _____
(Signature of President)

Name _____
(In Block Letters)

Designation _____

2. _____
(Signature of Member)

Name _____
(In Block Letters)

Designation _____

3. _____
(Signature of Member)

Name _____
(In Block Letters)

Designation _____

SEAL

INSTRUCTIONS :

- (1) Entry No. 1 to be filled as per particulars furnished by Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government
- (2) Improper remarks shall be penned through with initials of the President.
- (3) Effective date of Commutation shall be either the date mentioned by the applicant or the date recommended by the Board as per the 3rd Para of the Report. But it shall not be prior to the date of release/retirement.
- (4) The report shall be prepared in duplicate—one copy shall be sent to the Record Office or Drafting Authority or Assistant Chief of Naval Staff (Logistic) or Assistant Chief of Air Staff (Admn) or any other specified authority as fixed by the Government and the other to the applicant.

মোঃ মিজানুর রহমান, উপ-নিয়ন্ত্রক, বাংলাদেশ সরকারী মন্ত্রণালয়, ঢাকা কর্তৃক মন্বিত।

মোঃ আতোয়ার রহমান, উপ-নিয়ন্ত্রক, বাংলাদেশ ফরমস্ ও প্রকাশনী অফিস,
তেজগাঁও, ঢাকা কর্তৃক প্রকাশিত।