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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

Justice Branch

Section IV

NOTIFICATION

Dacca, the 12th March 1982

No. S.R.O. 92-L/82-JIV/1T-3/81.—In exercise of the powers conferred by section 12 of the Administrative Tribunals Act, 1980 (VII of 1981), the Government is pleased to make the following rules, namely:—

1. Short title.—These rules may be called the Administrative Tribunals Rules, 1982.

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

- (a) "Act" means the Administrative Tribunals Act, 1980 (VII of 1981);
- (b) "application" means an application under sub-section (1) of section 4;
- (c) "Form" means a form appended to these rules;
- (d) "opposite party" means a person against whom an application under sub-section (2) of section 4 is made;
- (e) "section" means a section of the Act; and
- (f) "Tribunal" means an Administrative Tribunal established under the Act.

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3. **Manner of making application.**—(1) An application to a Tribunal shall be in writing and may be made by the applicant in person, or by a person authorised by him in that behalf, or by registered post.

(2) An application shall contain, among others, the following particulars, namely:—

- (a) the name of the Tribunal to which the application is made;
- (b) the name, description and address of the applicant;
- (c) the name, description and address of the opposite party;
- (d) the facts constituting the cause of action and when and where it arose;
- (e) the facts showing that the Tribunal has jurisdiction to entertain the application;
- (f) the relief which the applicant claims; and
- (g) any matter on which the applicant intends to rely.

(3) An application shall be accompanied by as many copies of the—

- (a) application;
- (b) order complained of, if any; and
- (c) document, if any, in the possession or power of the applicant upon which he intends to rely;

as there are opposite parties.

(4) A fee of Taka 20.00 *plus* an additional fee of Taka 5.00 for each copy of the application mentioned in clause (a) of sub-rule (3), shall be paid by the applicant in court fee stamp affixed to the application and crossed and signed by him.

(5) Facts stated in an application shall be verified at the foot by the applicant and the verification shall be signed by him.

(6) A Tribunal shall admit an application if it is made in accordance with the provisions of sub-rules (1), (2), (3), (4) and (5) and is not barred by the Act.

(7) A Tribunal may, at any time, return an application to be made to the Tribunal to which it should have been made.

(8) A Tribunal may reject an application if it is not made in accordance with the provisions of sub-rules (1), (2), (3), (4) and (5) and shall reject it if from the statement in the application it appears to be barred by the Act:

Provided that the Tribunal may, if it deems fit, before rejecting the application, give the applicant an opportunity for making the application in accordance with those provisions.

(9) The rejection of an application under sub-rule (8) shall not preclude the applicant from making a fresh application in respect of the same cause of action, if it is not otherwise barred by the Act.

(10) Where an application is rejected the Tribunal shall record an order to that effect with the reasons for such order.

4. **Registration of applications.**—(1) A Tribunal shall maintain register of applications in Form I.

(2) All applications admitted by the Tribunal shall be registered in the register of applications.

5. **Notice to opposite party and written statement.**—(1) Where an application is admitted under sub-rule (6) of rule 3, the Tribunal shall issue a notice in Form II upon the opposite party directing him to submit his written statement, in duplicate, on or before a date to be specified therein for the purpose.

(2) A notice under sub-rule (1) shall be accompanied by the copies of the papers submitted by the applicant under sub-rule (3) of rule 3.

(3) Every notice shall be signed and sealed by an officer of the Tribunal to be authorised by the Tribunal in that behalf and shall be served by registered post with acknowledgement due or, in special cases, by messenger or in such other manner as the Tribunal may deem fit.

(4) A written statement may be submitted by the opposite party in person, or by a person authorised by him in that behalf, or by registered post.

(5) Facts stated in a written statement shall be verified at the foot by the opposite party submitting it and the verification shall be signed by him.

(6) A copy of the written statement shall be sent to the applicant by registered post.

6. **Procedure for disposal of application.**—(1) After fifteen days of the expiry of the date fixed for submission of written statement by the opposite party, the Tribunal shall fix a date for hearing of the application and shall issue a notice in Form III upon the applicant and the opposite party, in the manner laid down in sub-rule (3) of rule 5, directing them to appear before the Tribunal on that date with all papers or documents in their possession or power relating to the dispute and all evidence upon which they intend to rely in support of their respective claim or defence.

(2) A party to the dispute may, on application to the Tribunal, obtain summons in Form IV issued to person whose attendance is necessary to give evidence or to produce papers or documents at his own expense.

(3) On the day fixed for hearing of the application the parties to the dispute shall appear before the Tribunal in person or by persons authorised by them in that behalf.

(4) Where on the day so fixed neither party appear and it is found that the notices to appear have been served upon the parties to the dispute, Tribunal may make an order dismissing the application.

(5) Where on the day so fixed the applicant appears and the opposite party does not appear, Tribunal may, if it is found that the notice to appear has been served, hear the application *ex-parte*.

(6) Where on the day so fixed the opposite party appears and the applicant does not appear, the Tribunal may make an order dismissing the application:

Provided that where the opposite party admits the claim of the applicant or from the materials on record it is found that the relief claimed by the applicant should be allowed, the Tribunal shall make an order granting the relief to such extent as it deems fit.

(7) Any party to the dispute aggrieved by an order made under sub-rules (4), (5) and (6) may apply to the Tribunal for an order to set aside the dismissal or the order made *ex-parte* and, if the Tribunal is satisfied that there was sufficient cause for the non-appearance of the party, the Tribunal shall make an order setting aside the dismissal or the order made *ex-parte* on such conditions as it deems fit.

(8) The Tribunal may, if it deems fit in any case, postpone the hearing of an application to a future day to be fixed by it.

(9) The Tribunal shall, after the application has been heard, give its decision in writing with reasons therefor, at once or on some future day of which notice shall be given to the parties, and make an order accordingly.

(10) The decision or order once given or made shall not afterwards be altered or modified, save for the purpose of correcting a clerical or arithmetical mistake or any error arising from any accidental slip or omission.

7. **Execution of decisions and orders of a Tribunal.**—A Tribunal shall, for the purpose of execution of its decisions and orders, follow, as far as practicable, the provisions of the Code of Civil Procedure, 1908 (V of 1908), relating to the execution of a decree.

8. **Inspection, etc.**—(1) A party to a dispute may, with the permission of the Tribunal, inspect any record or document in the custody of the Tribunal, other than a record or document with respect to which privilege may be claimed on behalf of the State.

(2) An inspection under sub-rule (1) shall be in the presence of such officer of the Tribunal as it may specify.

9. **Registers.**—(1) A Tribunal shall, in addition to the register of applications, maintain the following other registers, namely:—

- (a) register of court fee stamps;
- (b) register of daily cause list;
- (c) register of applications for copies;
- (d) register of letters received; and
- (e) register of notices and letters issued.

(2) The registers shall be maintained in such forms as the Government may specify.

10. **Statements.**—A Tribunal shall furnish to the Government a monthly statement of pending and disposed of applications in the first week of the month next following in such form as the Government may specify.

11. **Appeals.**—Save as otherwise provided in the Act, the provisions of these rules shall, *mutatis mutandis*, apply to an appeal to the Administrative Appellate Tribunal under sub-section (2) of section 6.

FORM II

[See sub-rule (1) of rule 5]

Notice to Opposite Party/Respondent.

ADMINISTRATIVE TRIBUNAL/ADMINISTRATIVE APPELLATE TRIBUNAL

Case No.

Applicant/Appellant.....

versus

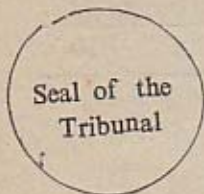
Opposite Party/Respondent

To [Name, description and address]

Whereas [Name, description and address] has made/preferred an application/ appeal to this Tribunal against you, a copy of which is attached hereto, for, you are hereby directed to submit your written statement/memorandum-in-opposition, if any, in duplicate, to this Tribunal on or before the..... day of198 .

Given this.....day of.....,19 .

By order of the Tribunal,



FORM III

[See sub-rule (1) of rule 6]

Notice to parties for appearance for hearing

ADMINISTRATIVE TRIBUNAL// ADMINISTRATIVE APPELLATE
TRIBUNAL

Case No.

Applicant/Appellant.....

versus

Opposite Party/Respondent.....

To [Name, description and address]

Whereas the.....day of....., 19 has been fixed for hearing of the application/appeal in the above case, you are hereby directed to appear before this Tribunal on the said day at..... O'clock in the forenoon with all papers and documents in your possession or power relating to the dispute and all evidences upon which you intend to rely in support of your claim or defence.

Given this.....day of....., 19.....

By order of the Tribunal,



OFFICE OF THE ADDITIONAL SPECIAL JUDGE, DACCA DIVISION
DACCA

NOTIFICATION

Whereas the Special Judge, Dacca Division, Dacca, has reason to believe that accused Juljalal Khan, son of Siddique Khan, village Astagram, P.S. Astagram, Dist. Mymensingh, who is an accused in Mymensingh Special Case No. 2/80 pending in this Court, has absconded or concealing himself so that he cannot be arrested and produced before this Court for trial and he is required for the purpose of trial.

The said Juljalal Khan is directed under section 6, sub-section (1A) of the Criminal Law (Amendment) Act, 1958 as amended by Ordinance No. VI of 1978, to appear before this Court within 45 days from the date of publication of this notification in the official Gazette, failing which he shall be tried in his absence.

MD. ABDUR RASHID

*Special Judge, Dacca Division
Dacca.*