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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF COMMERCE

NOTIFICATION

Dhaka, the 1st April, 1985

No. S.R.O. 159-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, after consultation with the Bangladesh Public Service Commission, is pleased to make the following rules, namely:—

THE GAZETTED OFFICERS (THE TRADE MARKS REGISTRY)
RECRUITMENT RULES, 1985.

1. **Short title.**—These rules may be called The Gazetted Officers (The Trade Marks Registry) 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 in relation to a specified post or class of such posts, any officer authorised by the Government to make appointment to such post or class of posts;
 - (b) “Commission” means the Bangladesh Public Service Commission;
 - (c) “probationer” means a person appointed on probation to a 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 a specified post, means the qualification laid down in the schedule in relation to that post;
- (f) "schedule" means the schedule annexed to these rules; and
- (g) "specified post" means a post specified in the schedule.

3. Procedure for recruitment.—(1) Subject to the provisions of the schedule and instruction relating to reservation and quota, appointment to a specified post shall be made—

- (a) by promotion; and
- (b) by direct recruitment.

(2) No person shall be appointed to a specified post unless he has the 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 promotion.—(1) Appointment by promotion to a specified post shall be made on the recommendation of the Superior Selection Board or, as the case may be, by such Departmental Promotion Committee as the Government may constitute in this behalf:

Provided that appointment by promotion to a specified post of higher class shall be made on the recommendation of the Commission.

(2) A person shall not be eligible for appointment by promotion to a specified post if he has unsatisfactory records of service.

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

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

- (a) is not a citizen of Bangladesh, or a permanent resident of or, domiciled in, Bangladesh; or
- (b) is married to, or has entered into a promise of marriage with, a person who is not a citizen of Bangladesh:

Provided that this clause shall not apply in the case of a person who is already in the service of the Republic.

(3) No appointment to a specified post by direct recruitment shall be made unless—

- (a) the person selected for appointment is certified by a Medical Board or Medical Officer set up or appointed 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 a 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 posts; and
- (b) in the case of a person already in the Government service or in the service of a local authority, he applied through his official superior.

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

SCHEDULE

Sl. No.	Name of the specified post.	Age limit for direct recruitment.	Method of recruitment.	Qualification.
1	2	3	4	5
1	Registrar of Trade Marks	..	By promotion from Deputy Registrar.	<i>For promotion</i> : 12 years' gazetted service including 2 years' service in the feeder post.
2	Deputy Registrar of Trade Marks.	..	By promotion from Assistant Registrar.	<i>For promotion</i> : 5 years' service in the feeder post.
3	Assistant Registrar of Trade Marks.	..	By promotion from Examiners of Trade Marks.	<i>For promotion</i> : Law Degree with 3 years' service in the feeder post.
4	Examiner of Trade Marks	..	50% by promotion from Assistant Examiner/Head Assistant/Stenographer/Librarian. 50% by direct recruitment	<i>For promotion</i> : 5 years' service in the feeder post.
		Not exceeding 30 years.	<i>For direct recruitment</i> :	
			(a) Law Graduate from a recognised University.	
			(b) Practising Lawyer shall be given preference.	
			(c) Acquaintance with Trade Marks Law desirable.	
				S. HASAN AHMED <i>Secretary.</i>

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