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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF LABOUR AND MANPOWER

Section VIII  
NOTIFICATION

Dhaka, the 6th May, 1984

No. S.R.O. 165-L/84/LMVIII/5(7)/82.—Whereas the Government is of the opinion that all classes of employment under the Bangladesh Biman Corporation established under the Bangladesh Biman Corporation Ordinance, 1977 (XLX of 1977), are essential for maintaining services necessary to the life of the community,

Now, therefore, in exercise of the power conferred by sub-section (1) of section 3 of the Essential Services (Second) Ordinance, 1958 (E.P. Ordinance XLI of 1958), the Government is pleased to declare all classes of employment under the said Bangladesh Biman Corporation to be classes of employment to which the said E.P. (Ord.) XLI of 1958 applies.

By order of the President  
SYED ANWARUL ISLAM  
*Deputy Secretary.*

MINISTRY OF JUTE AND TEXTILES  
NOTIFICATION

Dhaka, the 6th May, 1984

No. S.R.O. 166-L/84.—Whereas notification under rule (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. Janata Jute Mills Limited from the First Schedule to the said Order;

( 6775 )

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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. Janata Jute Mills Limited, namely:—

1. In the aforesaid Memorandum of Association:—

- (a) in paragraph 1, for the words "East Pakistan" the word "Bangladesh" shall be *substituted*;
- (b) in paragraph 111:—
  - (i) in entry 1, for the words "East Pakistan" the word "Bangladesh" shall be *substituted*, and
  - (ii) in entry 13, for the words and comma "Government of East Pakistan or from any Government or competent authority in any part of Pakistan or elsewhere," the words and comma "Government of Bangladesh or from any competent authority in Bangladesh or elsewhere," shall be *substituted*; and
- (c) in paragraph V; for the word "Rs." wherever occurring the word "Tk." shall be *substituted*.

2. In the aforesaid Articles of Association—

- (1) throughout the Articles 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 word "Rs." the word "Tk." shall be *substituted*.
- (2) in Article 2, for the definition at entry (5), the following shall be *substituted*, namely:—
 

"(5) "Government" means the Government of the People's Republic of Bangladesh".
- (3) in Article 4, the words "AGREEMENT WITH PICIC" along with paragraphs (i) and (ii) shall be *omitted*;
- (4) in Article 20, for the words "Managing Agents" the words "Managing Director" shall be *substituted*;
- (5) in Article 47, for the words "Managing Agents" occurring twice the words "Managing Director" shall be *substituted*;
- (6) in Article 51, for the word "Rs." the word "Taka" shall be *substituted*;
- (7) in Article 53, for the words "Managing Agents" the words "Managing Director" shall be *substituted*;
- (8) in Article 54, the words "and Karachi" shall be *substituted*;

- (9) Article "60(a)" shall be numbered as "60A" and in the re-numbered Article 60A; the words, figure and letter "subject to the provisions of Article 4A" shall be *omitted*;
- (10) in Article 69, the words "or from the Managing Agents" shall be *omitted*;
- (11) in Article 84, for the words "Managing Agents" the words "Board of Directors" shall be *substituted*;
- (12) for Article 103:—
- (a) the commas, words, brackets and figure "4", or other person entitled under the transmission clause (Article 37 hereof) to transfer any share," shall be *omitted*; and
- (b) for the words "Managing Agents" occurring twice the words "Managing Director" shall be *substituted*;
- (13) for Article 111, the following shall be *substituted*, namely:—
- "111. **Nominated Directors.**—Notwithstanding anything contained in Article 110, the Government shall have the right to nominate Directors in proportion to its share holding interest and the Directors so nominated shall be *ex-officio* Directors.";
- (14) Article 111A shall be *omitted*;
- (15) in Article 112, for the figures and word "123 and 124" the figures and word "124 and 125" shall be *substituted*;
- (16) for Article 114, the following shall be *substituted*, namely:—
- "114. **Directors qualification.**—(1) The qualification of a Director shall be his holding shares to the value of Tk. 25,000 (Taka twenty-five thousand) at least in own name, relaxable in the case of Directors representing interest holding shares of the requisite value.";
- (2) An *ex-officio* Director shall not be required to hold any qualification shares.";
- (17) in Article 114A, for the full-stop at the end a semi-colon shall be *substituted* and thereafter the following proviso shall be *added*, namely:—
- "Provided that till the liabilities in the bipartite Agreement and tripartite Agreement are not discharged, the quorum of Directors meeting shall consist of one-third of the total number of Directors including at least two *ex-officio* Directors;
- Provided further that the fraction of a number shall, for the purpose of quorum under this Article, be ignored.";
- (18) in Article 115, for the figure "129" the figure "131" shall be *substituted*;
- (19) in Article 117, for the words, figure and brackets "Rs. 100 (Rupees one hundred only)" the words "such sum as may be fixed in consultation with the Controller of Capital Issues" shall be *substituted*;

- (20) in Article 118, the words "so that" shall be *omitted*;
- (21) in Article 119, for the words "office of a Director" the words and comma "Office of a Director other than an *ex-officio* Director," shall be *substituted*;
- (22) in Article 121:—
- (a) for the figures, letters, brackets, words and commas "86F & 87D(5), of the Act, the Managing Agents and" the figure, letter, comma and words "86F of the Act, the" shall be *substituted*;
  - (b) the words "the Managing Agents" occurring twice shall be *omitted*;
  - (c) the words "or his" and "or him" shall be *omitted*;
- (23) for Article 124, the following shall be *substituted*, namely:—
- "124. **Rotation and retirement of Directors.**—At the first ordinary meeting of the company the whole of the Directors other than the *ex-officio* Directors nominated by the Government under Article 111 shall retire from office and at the ordinary meeting in every subsequent year, one-third of such Directors for the time being or, if their number is not three or a multiple of three, then the number nearest to one-third shall retire from office.";
- (24) Article 126 shall be *omitted*;
- (25) in Article 132, for the word "Article" the word and figure "Article 131" shall be *substituted*;
- (26) for Article 136, the following shall be *substituted*, namely:—
- "136. **Directors may summon meeting.**—The Managing Director may at any time convene a meeting of the Directors. Questions arising at any meeting shall be decided by a majority of votes and in case of equality of votes, the Chairman shall have a second or casting vote.";
- (27) for Article 137, the following shall be *substituted*, namely:—
- "137. **Chairman.**—(1) A Chairman shall be elected by the Board of Directors from amongst themselves. The Chairman shall hold office from the date of his appointment to the date of the holding of the next Annual General Meeting.
- (2) If at any meeting of the Directors, the Chairman is not present, the Directors present shall choose some one of their numbers, other than the Managing Director, to be the Chairman of such meeting.";
- (28) in Article 142, for the words, figures, letters, brackets and comma "Except for the purpose of Section 87D(5) of the Act, a resolution" the words "A resolution" shall be *substituted*, and
- (29) in Article 147:—
- (a) in clause (6), the brackets and words "(other than Managing Agents)" shall be *omitted*;

- (b) in clause (22), the word "or to Managing Agents" shall be *omitted*;
- (c) clause (23) shall be *omitted*; and
- (d) in clause (25), the words "by the Chairman and or" shall be *omitted*;
- (30) *after* Article 147, the following new Article 147A shall be *inserted*, namely:—

"147A. **Management of the company.**—The Managing Director shall be entitled to the management of the whole affairs of the company under the control and direction of the Board of Directors.";

- (31) Articles 148, 149, 150, 151, 152, 153, 154, 155, 156, 157 and 158 shall be *omitted*;
- (32) in Article 186, *for* the words "Local Government" the word "Government" shall be *substituted*, and
- (33) *after* Article 207, the following new Article 208 shall be *added*, namely:—

"208. **Bipartite Agreement and tripartite Agreement.**—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 the 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 or liability in such manner and upon such security over the assets of the company as may be thought prudent;
- (b) the company shall act as per the provisions of the bipartite Agreement and tripartite Agreement till the liabilities specified in those Agreements are discharged in full.

*Explanation.*—In this Article and in Article 114A,—

- (a) "bipartite Agreement" means the bipartite Agreement entered into the company with the Government on the 9th January, 1983;
- (b) "tripartite Agreement" means the tripartite Agreement executed on the 9th January, 1983 among the company, the Government and the Bangladesh Jute Mills Corporation."

By order of the President

SK. ABDULLAH

Deputy Secretary (ID).

**MINISTRY OF HEALTH AND POPULATION CONTROL**

**Population Control Wing**

**NOTIFICATION**

**Dhaka, the 6th May, 1984**

**No. S.R.O. 167-L/84.**—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 HOME ECONOMIST, CASHIER, CLERK-CUM-TYPIST (SCHEME FOR TRAINING OF FAMILY PLANNING ASSISTANTS, FAMILY WELFARE ASSISTANTS AND FAMILY WELFARE WORKERS) RECRUITMENT RULES, 1984.**

1. **Short title.**—These rules may be called the Home Economist, Cashier, Clerk-cum-Typist (Scheme for Training of Family Planning Assistants, Family Welfare Assistants and Family Welfare Workers) Recruitment Rules, 1984.

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 any specified post, any officer authorised by the Government to make appointment to such post;
- (b) "Commission" means the Bangladesh Public Service Commission;
- (c) "probationer" means a person appointed on probation to a specified post;
- (d) "recognised Board" means a Board of Intermediate and Secondary Education established by or under any law for the time being in force and includes any other Education Board declared by the Government to be a recognised Board for the purposes of these rules;
- (e) "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 purposes of these rules;
- (f) "requisite qualification" in relation to a specified post, means the qualification laid down in the Schedule in relation to that post;
- (g) "Schedule" means the Schedule annexed to these rules; and
- (h) "specified post" means a post specified in the Schedule.

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

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

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

- (2) No person shall be eligible for appointment to a specified post if he—
- (a) is not a citizen or a permanent resident of Bangladesh; or
  - (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 a specified post 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 or, as the case may be, by the Medical Officer authorised in this behalf, that he is 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 that 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 application for that 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. **Probation.**—(1) Persons selected for appointment to a specified post against a substantive vacancy shall be appointed on probation for a period of two years from the date of substantive 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, terminate his service.

(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 terminate his service.

(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, direct.

## SCHEDULE

Sl. No.	Name of the specified post.	Age limit.	Requisite Qualification.
1	2	3	4
1	Home Economist .. 25 years, relaxable up to 30 years in case of Government servants.		First Class Master degree or Second Class Master degree with Second Class Honours in Home Economics, Social Welfare, Sociology, Economics or Bio-Chemistry from a recognised University.  Candidates having Master degree in Home Economics will be given preference.  Training and experience in Nutrition and Health Education will be considered as an additional qualification.
2	Cashier .. .. . Not exceeding 25 years.		Higher Secondary Certificate Examination (Commerce Group) passed from a recognised Board.
3	Clerk-cum-Typist .. .. . Ditto.		Secondary School Certificate Examination passed from a recognised Board with a type-writing speed of 20 words per minute in Bengali and 30 words per minute in English.

By order of the President

A. B. M. GHULAM MOSTAFA  
Secretary.

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