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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

NOTIFICATION

Dacca, the 8th July, 1976.

No. 639-Pub.—The following Ordinance made by the President of the People's Republic of Bangladesh, on the 6th July, 1976, is hereby published for general information:—

THE BANGLADESH PETROLEUM (AMENDMENT) ORDINANCE, 1976.

Ordinance No. LIV of 1976.

AN

ORDINANCE

to amend the Bangladesh Petroleum Act, 1974.

WHEREAS it is expedient to amend the Bangladesh Petroleum Act, 1974 (LXIX of 1974), for the purposes hereinafter appearing;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975, and the 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

1. **Short title.**—This Ordinance may be called the Bangladesh Petroleum (Amendment) Ordinance, 1976.

(2249)

Price: 25 Paisa.

2. **Amendment of section 2, Act LXIX of 1974.**—In the Bangladesh Petroleum Act, 1974 (LXIX of 1974), hereinafter referred to as the said Act, in section 2, clause (b) shall be *omitted*.

3. **Substitution of section 8, Act LXIX of 1974.**—In the said Act, for section 8, the following shall be *substituted*, namely:—

“8. **Delegation of powers.**—The Government may, by order in writing, delegate to the Bangladesh Oil and Gas Corporation, that is, Petrobangla, or to any other Government agency, subject to such conditions, if any, as may be specified therein, such of its rights and powers under this Act, or the rules made thereunder as may be so specified.”

ABUSADAT MOHAMMAD SAYEM

President.

DACCA;

The 6th July, 1976.

A. K. TALUKDAR

Deputy Secretary.

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

NOTIFICATION

Dacca, the 8th July, 1976.

No. 643-Pub.—The following Ordinance made by the President of the People's Republic of Bangladesh, on the 7th July, 1976, is hereby published for general information:—

THE BANGLADESH ABANDONED PROPERTY (CONTROL, MANAGEMENT AND DISPOSAL) (AMENDMENT) ORDINANCE, 1976.

Ordinance No. LV of 1976.

AN

ORDINANCE

further to amend the Bangladesh Abandoned Property (Control, Management and Disposal) Order, 1972.

WHEREAS it is expedient further to amend the Bangladesh Abandoned Property (Control, Management and Disposal) Order, 1972 (P.O. No. 16 of 1972), for the purpose hereinafter appearing;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975, and 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

1. **Short title.**—This Ordinance may be called the Bangladesh Abandoned Property (Control, Management and Disposal) (Amendment) Ordinance, 1976.

2. Amendment of Article 14, P.O. No. 16 of 1972.—In the Bangladesh Abandoned Property (Control, Management and Disposal) Order, 1972 (P.O. No. 16 of 1972), in Article 14, after clause (2), the following new clause shall be added, namely:—

“(3) No Court shall pass an order in any suit or proceeding granting a temporary or ad-interim injunction restraining the Government or the Deputy Commissioner or the Subdivisional Magistrate or the authorised officer, or any other officer or person acting under the authority, orders or directions of any of them, from taking possession of any property if any notice under, or purported to be under, any provision of this Order has been served upon any person requiring or directing him to surrender possession of such property, and any such order passed by any Court before the commencement of the Bangladesh Abandoned Property (Control, Management and Disposal) (Amendment) Ordinance, 1976 (LV of 1976), shall stand vacated and cease to have effect.”

ABUSADAT MOHAMMAD SAYEM

DACCA;

President.

The 7th July, 1976.

A. K. TALUKDAR

Deputy Secretary.

Justice Branch

Section IV

NOTIFICATIONS

Dacca, the 6th July 1976.

No. 514-JIV/2T-17/76.—In exercise of the powers conferred by clause (2) of Regulation 3 of the Martial Law Regulations, 1975, the Government is pleased to transfer the cases mentioned in column I of the schedule below and pending in the Court shown in column II thereof to the Special Martial Law Court specified in column III of the schedule.

Schedule

Case No.	Courts where cases are pending.	Special Martial Law Court.
I	II	III
1. Special Tribunal Case No. 2/76, arising out of Rajapur (Bakerganj) P. S. Case No. 4, dt. 26-2-1974, u/s. 395/397/412, Penal Code read with Special Powers Act, 1974.	First Assistant Sessions Judge, Barisal.	Special Martial Law Court No. VI, Jessore.

Case No.	Courts where cases are pending.	Special Martial Law Court.
I	II	III
2. Special Tribunal Case No. 3/1976, arising out of Nazirpur (Bakerganj) P. S. Case No. 6, dt. 24-11-1974, u/s. 19A Arms Act, read with Sec. 26 of Special Powers Act, 1974.	Sessions Judge, Bakerganj.	Special Martial Law Court No. VI, Jessore.
3. Special Tribunal Case No. 13/1976, arising out of Jhalakati (Bakerganj) P. S. Case No. 9, dt. 10-8-1974, u/s. 395/397, Penal Code read with Sl. 3 of Special Powers Act, 1974.	First Assistant Sessions Judge, Barisal.	Ditto.
4. Special Tribunal Case No. 14/1976, arising out of Muladi (Bakerganj) P. S. Case No. 1, dt. 1-12-1974, u/s. 6 of Act 1/56 and Section 25 of Special Powers Act, 1974.	Sessions Judge, Bakerganj.	Ditto.
5. Special Tribunal Case No. 19/1976, arising out of Banaripara (Bakerganj) P. S. Case No. 2, dt. 16-10-1975, u/s. 364/302/34, Penal Code.	Ditto.	Ditto.
6. Special Tribunal Case No. 20/76, arising out of Bhandaria (Bakerganj) P. S. Case No. 7, dt. 25-3-1975, u/s. 395/397 Penal Code read with Special Powers Act, 1974.	2nd Additional Sessions Judge, Bakerganj, Barisal.	Ditto.
7. Special Tribunal Case No. 21/76, arising out of Nazirpur (Bakerganj) P. S. Case No. 4, dt. 25-5-1974, u/ss. 395/397, Penal Code read with para 2 of the Schedule of Special Powers Act, 1974.	Ditto.	Ditto.
8. Special Tribunal Case No. 22/1976, arising out of Babaganj (Bakerganj) P. S. Case No. 8(5)75, u/ss. 19A and 19(f), Arms Act read with Schedule 3 of Special Powers Act, 1974.	Ditto.	Ditto.

Case No.	Courts where cases are pending.	Special Martial Law Court.
I	II	III
9. Special Tribunal Case, No. 25/76, arising out of Kotwali (Bakerganj) P. S. Case No. 14 (10) 1974, u/s. 395/397, Penal Code read with Sec. 26 of Special Powers Act, 1974.	2nd Additional Sessions Judge, Bakerganj, Barisal.	Special Martial Law Court No. VI, Jessore.
10. Special Tribunal Case No. 28/76, arising out of Perojpur (Bakerganj) P. S. Case No. 10, dt. 23-4-1974, u/s. 395/397, Penal Code read with para 2 of Schedule 26 of Special Powers Act, 1974.	Sessions Judge, Bakerganj, Barisal.	Ditto.
11. Special Tribunal Case No. 30/76, arising out of Gournadi (Bakerganj) P. S. Case No. 9, dt. 21-3-1974, u/s. 395/397, Penal Code read with para. 2 of Special Powers Act, 1974.	2nd Additional Sessions Judge, Bakerganj, Barisal.	Ditto.
12. Special Tribunal Case No. 31/76, arising out of Gournadi (Bakerganj) P. S. Case No. 3, dt. 11-3-1976, u/s. 395/397, Penal Code read with Sec. 26 of Special Powers Act, 1974.	Sessions Judge, Bakerganj, Barisal.	Ditto.
13. Special Tribunal Case No. 34/76, arising out of Jhalakati (Bakerganj) P. S. Case No. 9, dt. 14-6-1974, u/s. 395/397, Penal Code read with Special Powers Act, 1974.	Ditto.	Ditto.
14. Special Tribunal Case No. 40/76, arising out of Nalchity (Bakerganj) P. S. Case No. 10, dt. 25-10-1974, u/s. 395/397, Penal Code read with Sec. 5 of Special Powers Act, 1974.	Ditto.	Ditto.
15. Special Tribunal Case No. 42/76, arising out of Wazirpur (Bakerganj) P. S. Case No. 6(11) 1974, u/s. 395/397, Penal Code read with Special Powers Act, 1974.	Ditto.	Ditto.
16. Special Tribunal Case No. 46/76, arising out of Nalchity (Bakerganj) P. S. Case No. 8, dt. 18-4-1975, u/s. 395/397, Penal Code read with Special Powers Act, 1974.	Ditto.	Ditto.

Case No.	Courts where cases are pending.	Special Martial Law Court.
I	II	III
17. Special Tribunal Case No. 99/75, arising out of Muladi (Bakerganj) P. S. Case No. 5, dt. 29-8-1974, u/s. 364 Penal Code read with 2 of the Schedule of Special Powers Act, 1974.	4th Additional Sessions Judge, Bakerganj, Barisal.	Special Martial Law Court No. VI, Jessore.
18. Special Tribunal Case No. 111/75, arising out of Gournadi (Bakerganj) P. S. Case No. 7, dt. 12-6-1974, u/s. 395/397, Penal Code read with Sl. 2 of Schedule of Special Powers Act, 1974.	Sessions Judge, 2nd Court, Barisal.	Ditto.

No. 521-JIV/2T-17/76.—In exercise of the powers conferred by clause (2) of Regulation 3 of the Martial Law Regulations, 1975, the Government is pleased to transfer the case mentioned in column I of the schedule below and pending in the Court shown in column II thereof to the Summary Martial Law Court specified in column III of the schedule.

Schedule

Case No.	Court where case is pending.	Summary Martial Law Court.
I	II	III
1. Special Tribunal Case No. 343/76, arising out of Matijheel (Dacca) P.S. Case No. 81(3)76, u/ss. 147/148/341/353/332, Penal Code read with Special Powers Act, 1974 and Emergency Power Rules, 1975.	Special Tribunal No. XII, Dacca.	Summary Martial Law Court, Dacca.

Dacca, the 7th July 1976.

No. 525-JIV/2T-17/76—In exercise of the powers conferred by clause (2) of Regulation 3 of the Martial Law Regulations, 1975, the Government is pleased to transfer the cases mentioned in column I of the schedule below

and pending in the Court shown in column II thereof to the Special Martial Law Court specified in column III of the schedule.

Schedule

Case No.	Court where cases are pending.	Special Martial Law Court.
I	II	III
1. Special Tribunal Case No. 181/75, arising out of Ulipur (Rangpur) P.S. Case No. 21, dated 24-4-1975, u/s. 19A, Arms Act read with Special Powers Act, 1974.	Special Tribunal, Rangpur.	Special Martial Law Court No.V, Rangpur.
2. Special Tribunal Case No. 304/75, arising out of Gaibandha (Rangpur) P.S. Case No. 18, dated 22-11-1975, u/s. 19A, Arms Act read with Special Powers Act, 1974.	Ditto	Ditto.
3. Special Tribunal Case No. 295/75, arising out of Kotwali (Rangpur) P.S. Case No. 53, dated 16-6-1975, u/s. 19A, Arms Act read with Special Powers Act, 1974.	Ditto	Ditto.
4. Special Tribunal Case No. 274/75, arising out of Saidpur (Rangpur) P.S. Case No. 37, dated 29-4-1974, u/s. 19(f), Arms Act read with Special Powers Act, 1974.	Ditto	Ditto.
5. Special Tribunal Case No. 108/76, arising out of Kaliganj (Rangpur) P.S. Case No. 31, dated 29-4-1975, u/s. 19A, Arms Act read with Special Powers Act, 1974.	Ditto	Ditto.
6. Special Tribunal Case No. 175/75, arising out of Pirgachha (Rangpur) P.S. Case No. 3, dated 14-6-1975, u/s. 19(f), Arms Act read with Special Powers Act, 1974.	Ditto	Ditto.

No. 526-JIV/2T-3/76.—In exercise of the powers conferred by clause (2) of Regulation 3 of the Martial Law Regulations, 1975, the Government is pleased to transfer the cases mentioned in column I of the schedule below

and pending in the Court shown in column II thereof to the Special Martial Law Court specified in column III of the schedule.

Schedule.

Case No.	Court where cases are pending.	Special Martial Law Court.
I	II	III
1. G.R. 411/75, arising out of Ramna (Dacca) P.S. Case No. 242, dated 22-1-1975, u/ss. 380/411/468/471, Penal Code.	Mr. Azmal Chowdhury, Magistrate, 1st Class, Dacca.	Special Martial Law Court No. I, Dacca.
2. G.R. 412/75, arising out of Ramna (Dacca) P.S. Case No. 243, dated 22-1-1975, u/ss. 380/411/467/468/471, Penal Code.	Ditto	Ditto.

By order of the President,

A. R. CHOWDHURY

Secretary.

**OFFICE OF THE CHAIRMAN, SPECIAL MARTIAL LAW COURT No. VI,
JESSORE**

Jessore, the 1st July 1976.

Notification under Regulation 3(7) of M.L.R. 1/75.

Special Martial Law Case No. 1 of 1976 (Galachipa P.S. Case No. 11, dated the 29th December, 1968, G.R. No. 677/68), Sessions Case 105/70 State vs. Abdur Razzaque and another.

No. 76M.L.—Whereas this court has reason to believe that you accused (1) Abdur Razzaque Howlader, son of Amjadur Rahman Panchayet of Majirchar, P.S. Char Fashion, District Bakerganj and (2) Sohrab Hossain *alias* Badsha, son of Altaf Ullah of Chikankandi, P. S. Galachipa, District Patuakhali, are concealing yourselves so that you cannot be arrested and produced before this court for trial, you are hereby directed to appear before this court (Judge Court Building, Jessore) on or before 9th August 1976 failing which you will be tried in your absence and your properties may also be forfeited to the Government.

N. H. CHOWDHURY

Chairman,

*Special Martial Law Court No. VI,
Jessore.*

যোগাযোগ মন্ত্রণালয়

বন্দব, জাহাজ ও আভ্যন্তরীণ নৌ-চলাচল বিভাগ

(বন্দব প্রশাসন শাখা)

বিজ্ঞাপ্তসমূহ

ঢাকা, ৩০শে জুন ১৯৭৬।

নং এস. আর. ও, ২২০-এল/৭৬/বচ/১ম-৬/৭৬—চট্টগ্রাম পোর্ট এ্যাক্ট, ১৯১৪ (বেঙ্গল এ্যাক্ট ৫, ১৯১৪)-এর ৪৯ ধারায় প্রদত্ত ক্ষমতাবলে গণপ্রজাতন্ত্রী বাংলাদেশ সরকার নিম্নলিখিত জাহাজযোগে আমদানীকৃত পণ্য সামগ্রীর উপর উক্ত এ্যাক্ট-এর ৫৭ ধারা মোতাবেক ধার্যকৃত হোয়াফ' রেন্ট ১০০% মওকুফ করিয়া দিয়াছেন :

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|-----------------|-----|--|
| ১। জাহাজের নাম | ... | "এস. এস. আর ধার্মিডিলটন" |
| ২। পৌঁছার তারিখ | ... | ৫-৩-৭৫ ইং। |
| ৩। পণ্যের নাম | ... | এক বাস ওয়াটার ওয়াক'স, সাপ্লাইস
এক্স দুই কেস অটো পার্টস। |

ঢাকা, ২৯শে জুন ১৯৭৬।

নং এস. আর. ও, ২২১-এল/৭৬/বচ/১ম-৯/৭৬—চট্টগ্রাম পোর্ট এ্যাক্ট, ১৯১৪ (বেঙ্গল এ্যাক্ট ৫, ১৯১৪)-এর ৪৯ ধারায় প্রদত্ত ক্ষমতাবলে গণপ্রজাতন্ত্রী বাংলাদেশ সরকার নিম্নলিখিত জাহাজযোগে আমদানীকৃত পণ্য সামগ্রীর উপর উক্ত এ্যাক্ট-এর ৫৭ ধারা মোতাবেক ধার্যকৃত হোয়াফ' রেন্ট ১০০% মওকুফ করিয়া দিয়াছেন :

- | | | |
|-----------------|-----|---------------------------------|
| ১। জাহাজের নাম | ... | এস, এস, এক্সপোর্ট-এইড। |
| ২। পৌঁছার তারিখ | ... | ১৭-১১-১৯৭৫ ইং |
| ৩। পণ্যের নাম | ... | ১ ক্রেট এবং ৩ বাস জেনারেটর সেট। |

জি, কে, এস, এম, সাজাহান আমিন
উপ-সচিব।

MINISTRY OF FINANCE
NATIONAL BOARD OF REVENUE
(Income-Tax)

NOTIFICATION

Dacca, the 8th July, 1976.

No. S.R.O. 222-L/76.—In exercise of the powers conferred by sub-section 4A of section 15BB of the Income-tax Act, 1922 (XI of 1922), the National Board of Revenue is pleased to approve M/s. Anowara Jute Mills Ltd., Barabkund, Chittagong, in respect of its unit No. 2 for the production of carpet backing cloth. This approval is subject to fulfilment of the conditions as laid down under section 15BB (4A).

RISALAT AHMED
Second Secretary.

**MINISTRY OF LAND ADMINISTRATION, LOCAL GOVERNMENT,
RURAL DEVELOPMENT AND CO-OPERATIVES**

Local Government, Rural Development and Co-operative Division

Section VI

NOTIFICATION

Dacca, the 6th July, 1976.

No. S.R.O. 223-L/76/S-VI/7R-2/76/17.—In exercise of the powers conferred by sub-section (2) of section 121 of the Municipal Administration Ordinance, 1960 (Ord. X of 1960), read with items 24 and 25 of the Fourth Schedule thereof and Article 22 of the Bangladesh Local Government (Union Parishad and Paurashava) Order, 1973 (P. O. No. 22 of 1973), the Government is pleased to make the following further amendments in the Municipal Committees (Assessment and Collection of Octroi) Rules, 1961, namely:—

In the aforesaid Rules,—

(a) throughout the Rules, unless otherwise provided,—

- (i) for the words "Municipal Committee" or "Committee" wherever occurring the word "Paurashava" shall be *substituted*;
- (ii) for the words "member" and "members" wherever occurring the words "Commissioner" and "Commissioners" shall respectively be *substituted*;
- (iii) for the letters "Rs." or "Re." wherever occurring the word "Taka" shall be *substituted*; and
- (iv) for the word "paisa" the word "poisha" shall be *substituted*;

(b) in rule 1,—

- (i) in sub-rule (1), for the words "Municipal Committees" the word "Paurashava" shall be *substituted*; and
- (ii) in sub-rule (2), the word "Provincial" shall be *omitted*;

(c) in rule 2, for clauses (c) and (d), the following shall be *substituted*, namely:—

"(c) 'Chairman' means the Chairman, or where the Committee stands superseded, the Administrator, of the Paurashava concerned;

(d) 'Paurashava' means the Paurashava concerned;"

(d) in rule 7, in sub-rule (3), for the words "both in Bengali and Urdu" the words "in Bengali" shall be *substituted*;

(e) after rule 41, the following headings and the rules shall be *added*, namely:—

"X—Alternative provision for collection of octroi.

Lease of Octroi

42. **Lease of collection of octroi.**—Notwithstanding anything contained in these rules, the Paurashava may lease out collection of octroi of an octroi post/barrier or group of such posts/barriers for a period not exceeding one year at a time on such terms and conditions, not being inconsistent with the provisions of these rules, as it may deem fit.

43. **Programme for finalising auction for collection of octroi.**—Programme for auction of octroi post/barrier or group of such posts/barriers shall be drawn up and published by the Paurashava concerned in such manner as it may deem fit so that the settlement of auction shall, by the 15th June each year preceding the year for which auction is to be made, be completed.

44. **Public auction for collection of octroi.**—All such settlements shall be made with the highest bidder in public auction and in no case any settlement shall be made by private negotiation except with the previous sanction of the Controlling Authority. When the officer conducting the bid is of opinion that the bid is inadequate, he shall be competent to order for a fresh auction to be held on a subsequent date which shall be declared by him on the spot and notified in such manner as he may deem fit.

45. **Bidders to deposit earnest money.**—(1) The intending bidders shall, before the start of the auction, be required to make a deposit with the Paurashava concerned an earnest money equivalent to one percentum of the total average collection of octroi of the last three years or of the last year's collection of octroi, whichever is higher, which shall be notified beforehand by the Paurashava concerned.

(2) The persons whose bids are not accepted the earnest money deposited under sub-rule (1) shall be refunded to the person making it.

46. **Security deposit.**—(1) The person whose bid is accepted shall forthwith deposit with the officer conducting the auction a sum equal to two percentum of the bid money as *security deposit* for due performance of his obligations in regard to the collection of octroi and payment of lease money to the Paurashava.

(2) The proposal for confirmation of the bid for lease of octroi post/barrier or group of such posts/barriers shall be submitted to the Controlling Authority within 4 days from the date of auction.

(3) The Controlling Authority shall, within 15 days from the date of receipt of the bid proceedings from the Paurashava, either confirm the bid or withhold his confirmation to the bid in writing and his decision shall be final.

(4) In the case where the Controlling Authority has withheld his confirmation, the lease of octroi post/barrier or group of such posts/barriers shall, subject to any direction that may be given by the Controlling Authority in this behalf, be again put to auction and the provisions of rules 43, 44 and 45 shall apply to such re-auction.

47. **filing of objection, etc.**—(1) Any person or party aggrieved in any way in the matter of the auction held in pursuance of these rules may file an objection petition within 3 days from the date of auction to the Controlling Authority with a copy of the same to the Paurashava.

(2) The Controlling Authority may call for a report from the Paurashava together with all connected papers and on receipt of such reports, the Controlling Authority shall dispose of the same within 10 days from the date of receipt of such objection petition; and confirmation of lease of such octroi post/barrier or group of such posts/barriers may be stayed till disposal of the objection petition.

(3) When the bid has been finally confirmed by the Controlling Authority, the lease of octroi post/barrier or group of such posts/barriers for the stipulated period shall be made by registered agreement in Form 0-19 which shall be signed by the Chairman and the party concerned.

48. **Refund of security deposit and earnest money.**—The security deposit made under sub-rule (1) of rule 46 and the earnest money deposited under sub-rule (1) of rule 45 shall be refunded to the person making it if the Controlling Authority withholds his confirmation to the bid and, where the bid has been confirmed by the Controlling Authority, the security deposit and the earnest money deposited shall be refunded to him after the period for which the collection of octroi was leased to him is over and he has paid up all dues of the Paurashava and has duly performed all his obligations in regard to collection of octroi.

49. **Lessee to deposit additional bid money.**—In addition to the security deposit referred to in rule 46, the person whose bid has been accepted and confirmed by the Controlling Authority (hereinafter referred to as the lessee) shall, within seven days of such confirmation, deposit with the Paurashava concerned one-tenth of the amount of his bid money, and the balance of his bid money shall be paid by him to the Paurashava in nine equal monthly instalments in advance by the first day of the month for which the instalment is due:

Provided that possession of the octroi post/barrier or group of such posts/barriers shall in no case be handed over to the lessee before payment of one-tenth of the bid money and entrance into registered agreement with the Paurashava.

50. **Contravention of the provisions will liable to cancellation of the lease, etc.**—If the lessee fails to pay the one-tenth of the bid money or any instalment within the time specified in rule 49 or charges octroi at a higher rate than specified in the Schedule or commits any breach of the provisions of these rules or any terms and conditions of the agreement which may be entered into by him with the Paurashava in regard to lease of octroi, the Paurashava may, without prejudice to any other action which it may be entitled to take against the lessee under the law or these rules, forfeit his security deposit and cancel his lease.

51. **Lessee to observe the rules, etc.**—The lessee shall abide by the provisions of these rules any order made thereunder and any clarification or administrative orders of the Government in connection with any matter regarding the levy and collection of octroi shall prevail and shall be binding upon the lessee.

52. **Operation of octroi post under the lessee.**—Where the collection of octroi of an octroi post/barrier or group of octroi posts/barriers is leased out under the provisions of these rules—

- (a) such octroi post/barrier or group of such posts/barriers shall operate under the control of the lessee and all amounts collected as octroi shall belong to the lessee;
- (b) the lessee shall maintain an account of the receipt of octroi in the form specified in these rules and such account shall, at all reasonable times, be open to inspection by the Chairman or any officer authorised by him in this behalf;
- (c) the Paurashava shall keep such number of supervisory staff in the octroi post/barrier leased out as may be decided by it for the purpose of supervision of the working of the octroi post/barrier leased out and to render assistance, if so required by the lessee;

- (d) the lessee may, for the purposes of collection of octroi, employ as many employees as he may deem fit;
- (e) the lessee and every person employed by him for collection of octroi shall be deemed to be the persons appointed to collect the octroi under these rules, and shall exercise all powers and discharge all duties under these rules;
- (f) the lessee shall be bound to use the Forms, Receipts and Registers appended to these Rules, which shall be supplied by the Paurashava at a price to be fixed by it; and
- (g) in respect of octroi post/barrier or group of such posts/barriers leased out, the provisions of the rules 25, 27, 28, 29 and 30 shall not apply.”;
- (f) in Schedule III,—
- (a) in items (13), (22) and (28), the brackets and words “(both Central and Provincial)” shall be *omitted*;
- (b) in item (19),—
- (i) for the words “East Pakistan” the word “Bangladesh” shall be *substituted*; and
- (ii) for the words “the Province” the word “Bangladesh” shall be *substituted*;
- (c) in item (30), for the word “Pakistan” the word “Bangladesh” shall be *substituted*; and
- (g) after Form 0.18, the following new Form 0.19 shall be *added*, namely:—

“Form No. 0.19

[*Vide* rule 47(3)]

Form of lease for octroi post/barrier under Paurashava.

THIS INDENTURE made this.....day of.....one thousand nine hundred and seventy six BETWEEN THE CHAIRMAN OF..... PAURASHAVA, hereinafter called the lessor, which expression, where the context so admits or implies, shall be deemed to include his successor in office and assigns of the one part AND.....son of.....of village.....in Police Station.....in the district of..... hereinafter called the lessee, which expression shall, where the context so admits or implies, be deemed to include his heirs, legal representatives and assigns of the other part.

WHEREAS the lessor has put to auction the lease of the octroi post/barrier or group of such posts/barriers under.....Paurashava appertaining to Touzi No.....of.....Collectorate described more in detail in the Schedule below;

AND WHEREAS the lessee in an open bid, being the highest bidder, got the settlement of lease of the.....octroi post/barrier or group of such posts/barriers of the said Paurashava described in the Schedule hereto annexed.

AND WHEREAS the Chairman with the approval of the Controlling Authority has agreed to the lease of the said octroi post/barrier or group of such posts/barriers for the year.....only, with the said lessee at a sum of Taka.....(since paid).

NOW THIS INDENTURE witnesseth that in consideration of the lessee agreeing to observing and performing the terms and conditions of the covenants herein-after contained and agreeing to abide by the provision of the Paurashavas (Assessment and Collection of Octroi) Rules, 1961, and also in consideration of the payment of Taka.....the lessor hereby demises to the lessee the aforesaid octroi post, barrier or group of such posts/barriers described in the Schedule hereto annexed for the year.....only.

The lessee hereby covenants with the Lessor as follows :—

- (1) That the lessee shall preserve the limits of the aforesaid octroi post/barrier or group of such posts/barriers hereby leased and protect the interest of the lessor therein.
- (2) That the lessee shall collect octroi only at the approved rates and in the manner as provided in the Paurashavas (Assessment and Collection of Octroi) Rules, 1961, and shall not realise any octroi in excess of the rates or from persons or classes of persons or in respect of articles or classes of articles exempted under those Rules.
- (3) That the lessee shall not make exaction in any form and shall not cause any harassment to the vendors or buyers.
- (4) That the lessee hereby stipulates that he will not sublet the aforesaid octroi post/barrier or group of such posts/barriers to any other person and that a violation of this stipulation shall render the lease to be terminated without compensation.
- (5) That the lessee shall not obstruct the free passage of the Paurashava officers and staff at the octroi post/barrier or group of such posts/barriers for the purpose of inspection and supervision of levy and collection of octroi by the lessee as per Rules.

And the Lessor covenants with the Lessee :—

That the lessee observing and performing the covenants and conditions herein contained and on his part to be observed and performed shall and may peaceably and quietly possess and enjoy the said octroi post/barrier or group of such posts/barriers during the year.....only, without any interruption by the lessor or any person claiming from or under him.

In witness whereof the parties have affixed their hands and seals the day and year above written.

Signed by the Chairman for the Paurashava in presence of:—

Witness—

(1)

(2)

*Signature and Seal of the
Chairman of the Paurashava
(Lessor)*

Signed by in presence of:—

Witness—

(1)

(2)

Signature of the Lessee.

Schedule

Octroi Post/Barrier.....locally known as.....appertaining
to Touzi No.....of the.....Collectorate, situated in
Mouza.....of Police Station.....District.....
covered by Plot No.....”

By order of the President
KHORSHED ALAM
Additional Secretary.