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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF FINANCE

(Customs and Sales-tax)

[NOTIFICATION

Dacca, the 18th September, 1978.

No. S.R.O. 244L/78/447/D/Cus.—In exercise of the powers conferred by section 19 of the Customs Act, 1969 (IV of 1969), and section 7 of the Sales Tax Act, 1951 (III of 1951), and in supersession of this Ministry's notifications Nos. S.R.O. 2(7)/6/ST/72/4, dated the 30th June 1972, S.R.O. 108/D/Cus/73, dated the 14th June 1973, and S.R.O. 210-L/77/356/D/Cus., dated the 6th July 1977, the Government is pleased to exempt the articles falling under the Heading Nos. of the First Schedule to the Tariff Act, 1934 (XXXII of 1934), specified in Table I and imported for installation in the territorial area specified in column (1) of Part A of Table II below or for installation under such conditions or for such purposes as are specified in column (1) of Part B of Table II, from so much of customs-duties leviable thereon as is in excess of the rates specified in the corresponding entry in column (2) of Table II and from the whole of the sales tax leviable thereon provided the articles are machinery as defined hereunder or spare parts of, or articles for use with, such machinery, subject to the following conditions, namely:—

(i) The exemption granted under this Notification shall apply to—

(a) the machinery imported for initial installation of an industrial unit or for balancing, modernisation, replacement or expansion of an existing unit as sanctioned by the competent sanctioning authority and certified by the Director General, Department of Industries, in the form appended in Annex I;

(5209)

Price: 75 Paise.

- (b) the spare parts of, or articles for use with, machinery, valued up to 10% of the value of the machinery and imported along with such machinery;
- (c) only such spare parts or the articles which are identifiable for use with machinery and have been given for that purpose some special shape, size or quality;
- (ii) It is established to the satisfaction of an officer of customs not below the rank of an Assistant Collector of Customs that the exemption herein granted is admissible; and
- (iii) No customs duty has been imposed on the articles under the Protective Duties Act, 1950 (LXI of 1950), nor has the customs duty imposed on the articles been changed under the said Act into protect ve.
2. For the purposes of this Notification, the term "machinery" shall mean—
- (i) machinery, operated by power of any description, such as is used in any industrial process, including the generation, transmission and distribution of power, or used in processes directly connected with the extraction of minerals and timber, construction of buildings, roads, dams, bridges and similar structures, and in the manufacture of goods;
- (ii) an appropriate quantum of apparatus and appliances specially adapted for use in conjunction with machinery specified in item (i);
- (iii) an appropriate quantum of metering and testing apparatus and appliances required for use along with the machinery specified in item (i);
- (iv) an appropriate quantum of mechanical and electrical control and transmission gear adapted for use in conjunction with machinery specified in item (i); and
- (v) an appropriate quantum of component parts, as distinct from spare parts, of articles specified in items (i), (ii), (iii) and (iv), identifiable as for use in or with such machinery.

TABLE I

Heading numbers and sub-heads of the First Schedule to the Tariff Act, 1934 (XXXII of 1934).

Sub-head "A" of 28·05; sub-head "B" of 36·05, 37·01, sub-head "B" of 37·02 (lithographic films in rolls only); sub-head "B" of 39·07, 40·09, 40·10, (over 54" circumference only), 40·14; 42·04, sub-head "A" of 42·06, 44·13, 44·25 (wooden boots and shoe lasts only), 44·26 45·04; 48·08, sub-head "B" of 48·15, 48·20, sub-head "A" of 48·21; sub-head "B" of 59·08, 59·16, 59·17, 68·04, 68·06, 68·07, 68·13, 68·14, 69·01, 69·02, 69·03, 69·09; sub-head "B" of 70·07, 70·20, 70·21, 73·17, 73·18, 73·19, 73·20, sub-head "B" of 73·21, 73·22, 73·24, 73·25, 73·27, 73·29, 73·31, 73·32 (excluding bolts and nuts), sub-head "B" of 73·34, sub-head "B" of 73·35, sub-heads "A" and "C" of 73·40; 74·07, 74·08, 74·09, 74·10, 74·11, 74·13, 74·14, 74·15, 74·16, sub-head

"D" of 74·19, 75·04, 75·05, 75·06, 76·06, 76·07; sub-head "B" of 76·08, 76·09, 76·11, 76·12, 76·13; sub-heads "A" and "C" of 76·16 (excluding aluminium bobbins), 77·03, 78·05; sub-heads "A" and "C" of 78·06, 79·04; sub-heads "A", "C" and "D" of 79·06, 80·05, 80·06, 82·02, 82·03, 82·04, 82·05, 82·06, 82·07; 83·08, 83·15; 84·01, 84·02, 84·03, 84·04, 84·05; sub-heads "A(iii)" and "B(ii)" of 84·06, 84·07; sub-heads "B" and "C" of 84·08, 84·09; sub-head "B" of 84·10; sub-head "B" of 84·11; sub-head "B" of 84·12, 84·13, 84·14, sub-head "B" of 84·15 (excluding refrigerating equipment requiring for their operation less than one-quarter of one brake horse power), 84·16; sub-head "B" of 84·17; sub-heads "A" and "C" of 84·18; sub-head "B" of 84·19; sub-head "A" of 84·20, 84·21; sub-head "C" of 84·22, 84·23, 84·26, 84·27, 84·29 (excluding rice huller and parts thereof), 84·30, 84·31, 84·32, 84·33; sub-head "B" of 84·34, 84·35, 84·36, 84·37, 84·38 (excluding reeds and wire heads), 84·39; sub-head "B" of 84·40; sub-head "C" of 84·41, 84·42, 84·44, 84·45, 84·46, 84·47, 84·48, 84·49, 84·50, 84·56, 84·57, 84·59, 84·60; sub-head "B" of 84·61, 84·63 (excluding transmission shafts and ball and roller bearing), 84·64, 84·65; 85·01, 85·02, 85·04, 85·05; sub-head "B" of 85·08, 85·11, 85·12, 85·18, 85·19; sub-head "A" of 85·21, 85·22; sub-head "B" of 85·23, 85·25; sub-head "A" of 85·26, 85·27, 85·28; 87·14; 90·07 (process cameras parts and accessories thereof only); sub-head "B" of 90·08, 90·09, 90·10 (studio and laboratory apparatus and equipment used exclusively with 35 mm cinematographic film) 90·15, 90·16, 90·22, 90·23, 90·24, 90·26; sub-head "B" of 90·27, 90·28, 91·06, 96·02, 96·03 (tufts of man-made bristles for fitting to loom shuttles); and 98·07.

TABLE II

(1)	(2)
PART A	
Developed Area: The Police-stations of Kotwali, Sutrapur, Lalbag, Dhanmondi, Ramna, Motijheel, Tejgaon, Dabra, Cantonment, Gulshan, Mirpur, Mohammdpur, Keralliganj, Joydevpur, Tongi, Narayanganj, Fatulla, Siddirganj, Buldar, Savar, Narsingdi, Kaliganj of the Dacca district; Kotwali, Double Mooring, Chittagong Port, Panchlaish, Hathazari, Sitakunda, Rangunia, Raouzn of the Chittagong district; Khulna, Dulatpur, Phultala of the Khulna district and Abhoynagar of the Jessore district	15% <i>ad val.</i>
Priority Development Area: The Civil Division of Rajshahi and the district of Barisal, Patuakhali and Chittagong Hill Tracts..	2½% <i>ad val.</i>
Development Area: The whole of the country except the areas falling under Developed and Priority Development Area ..	5% <i>ad val.</i>
PART B	
Industrial Estates located in the Developed Areas of the Small and Cottage Industries Corporation established under section 3 of the Bangladesh Small and Cottage Industries Corporation Act, 1957 (E.P. Act XVII of 1957)	5% <i>ad val.</i>

(1)

(2)

An industry which would export not less than 80% of its products and to that effect a certificate from the Director General, Department of Industries is produced and an undertaking furnished at the time of clearance by the importer in the form appended in Annexe II binding himself to pay the customs duty and sales tax leviable thereon and this concession not been allowed, if it is proved on the Certification of the Collector of Customs of the territorial jurisdiction that the industrial unit in question failed to export at least 80% of its products in every year after the industrial unit goes into production 2½% *ad val.*

ANNEXE I

CERTIFICATE

I,, Director-General, Department of Industries, am satisfied on proper verification that the machinery and parts thereof imported by, per S.S.
(Name of the importer) (Name of the vessel)

Rot No. Line No.
B L No. dated .. and Invoice No.
dated .. are for initial installation/BMR & E and the competent sanctioning authority has duly approved the same for installation in/for

(Area/Condition/Purpose to be specified)

Dated .. Signature ..

Designation ..

ANNEXE II

DECLARATION FORM

- I,, son of,
Managing Director/Proprietor/Managing Partner of,
do hereby declare that I have imported machinery and parts thereof and cleared under B/E Receiving No. dated
- I further declare that I have read the contents of the Notification No. S.R.O. 244-L/78/447/D/Cus., dated the 18th September, 1978, under which the concessionary rate of customs duty and exemption of sales tax have been claimed by me for the aforesaid import.
- I also undertake to pay the normal duty and sales tax applicable on this import had this concession not been granted if it is proved on the certification of the Collector of Customs of territorial jurisdiction that the proposed industrial unit in question failed to export at least 80% of its products in any year after the industrial unit goes into production.

4. I further undertake to abide by such conditions and procedures as may be laid down by the Collector of Customs of the customs station through which the import has been effected and the Collector of Customs under whose territorial jurisdiction the industrial unit falls or is located.
5. I also declare that I am fully aware of the legal consequences of breach of any condition laid down in the aforesaid Notification.

Date.....

Signature of the Importer.

By order of the President

K. M. M. HOSSAIN

Secretary.

[C. No. 3(18) Cus. I/77]

OFFICE OF THE SPECIAL TRIBUNAL No. VIII, DACCA

(Assistant Sessions Judge, 2nd Court, Dacca).

NOTIFICATIONS

Whereas the Special Tribunal No. VIII, Dacca, has reason to believe that Mekail Matbar, son of Salimuddin Matbar of Joynagar, P.S. Bera, district Pabna and Abdul Mannan Molla, son of Hossain Molla of Dattakandi, P.S. Chauhali, district Pabna, who are accused in Special Tribunal Case No. 305/75 pending in this Tribunal, have absconded or are concealing themselves so that they cannot be arrested and produced before the Tribunal for trial and they are required for the purpose of trial.

The said Mekail Matbar and Abdul Mannan are directed under subsection (6) of section 27 of the Special Powers Act XIV/74 as amended by Ordinance XL of 1977, to appear before this Tribunal within 30 days from the date of publication of this order, failing which they shall be tried in their absence.

Whereas the Special Tribunal No. VIII, Dacca, has reason to believe that Rafique Commander, son of Abdul Aziz of Bhatarchar, P.S. Gazaria, district Dacca, who is an accused in Special Tribunal Case No. 156/76 pending in this Tribunal, has absconded or is concealing himself so that he cannot be arrested and produced before the Tribunal for trial and he is required for the purpose of trial.

The said Rafique Commander is directed under sub-section (6) of section 27 of the Special Powers Act XIV/74 as amended by Ordinance XL of 1977, to appear before this Tribunal within 30 days from the date of publication of this order, failing which he shall be tried in his absence.

Whereas the Special Tribunal No. VIII, Dacca, has reason to believe that (1) Braja Krishna Barai, son of Jatindra Barai of village Paushar, P.S. Sirajdikhan, Dist. Dacca and (2) Montu Sardar, son of Tufani Matbar of Shibrampur, P.S. Sreenagar, Dacca, who are accused in Special Tribunal Case No. 176/76 pending in this Tribunal, have absconded or are concealing themselves so that they cannot be arrested and produced before the Tribunal for trial and they are required for the purpose of trial.

The said Braja Krishna Barai and Montu Sardar are directed under sub-section (6) of section 27 of the Special Powers Act XIV/74, to appear before this Tribunal within 30 days from the date of publication of this Order, failing which they shall be tried in their absence.

Whereas the Special Tribunal No. VIII, Dacca, has reason to believe that Khan Aurangzeb, son of Fazlur Rahman Khan of Kushali, P.S. Terokhada, district Khulna, who is an accused in Special Tribunal Case No. 598/76 pending in this Tribunal, has absconded or is concealing himself so that he cannot be arrested and produced before the Tribunal for trial and he is required for the purpose of trial.

The said Khan Aurangzeb is directed under sub-section (6) of section 27 of the Special Powers Act XIV/74 as amended by Ordinance XL of 1977, to appear before this Tribunal within 30 days from the date of publication of this Order, failing which he shall be tried in his absence.

Whereas the Special Tribunal No. VIII, Dacca, has reason to believe that Enamul Haque *alias* Enam, son of Mofizul Huq of village Anarpur, P.S. Gazaria, district Dacca, who is an accused in Special Tribunal Case No. 76 of 1977 pending in this Tribunal, has absconded or concealing himself so that he cannot be arrested and produced before the Tribunal for trial and he is required for the purpose of trial.

The said Enamul Haque is directed under sub-section (6) of section 27 of the Special Powers Act XIV/74 as amended by Ordinance XL of 1977, to appear before this Tribunal within 30 days from the date of publication of this Order, failing which he shall be tried in his absence.

Z. H. Md. DAUD

Special Tribunal No. VIII, Dacca.

সংক্ষিপ্ত সাময়িক আদালত, টাংগাইল।

পলাতক আসামী হাজির হওয়ার বিজ্ঞপ্তি

নং ৭৪৯/এন, এল, আর, তারিখ ১৬ই সেপ্টেম্বর ১৯৭৮।

আমার নিকট ইহা প্রতীয়মান যে নিম্নে বর্ণিত আসামীগণ তাহাদের বিরুদ্ধে দায়বদ্ধ অভিযোগে বিচার এড়াবার উদ্দেশ্যে পলাতক আছে বা আত্ম গাওঁপন করিয়াছে। অতএব, আমি, নিম্ন স্বাক্ষরকারী, ১৯৭৫ সনের ১ নম্বর সাময়িক আইন বিধির ৭ নম্বর অনুচ্ছেদ

অনুযায়ী এতদ্বারা নিম্নের বণিত অসামান্যকে আপাদী ৩০শে সেপ্টেম্বর, ১৯৭৮ সন অর্থাৎ তৎপূর্ববর্তী যে কোনও তারিখে তাহাদের বিরুদ্ধে দায়েরকৃত মামলার বিচারার্থে টাংগাইলের সংক্ষিপ্ত সামরিক আদালতে হাজির হওয়ার নির্দেশ দিতেছি, অন্যথায় তাহাদের অনুপস্থিতিতে সংশ্লিষ্ট মামলার বিচার অনুষ্ঠিত হইবে এবং বাংলাদেশ সরকার ইচ্ছা করিলে তাহাদের স্বাবর/অস্বাবর যাবতীয় সম্পত্তি বাজেয়াপ্ত করিতে পারিবেন :

ক্রমিক নম্বর।	নোকদ্দমার নম্বর।	অভিযোগ।	আসামীর পরিচয়।
১	জী, আর-২৬৪/৭৮	১১-এম, এল, আর/৭৫	১। এম, এম, আবদুল জলিল, পিতা মৃত হাতেম আলী তালুকদার, সাং সুরজ, থানা টাংগাইল, জেলা টাংগাইল।
২	জী, আর-৮৮৫/৭৭	১১-এম, এল, আর/৭৫	১। আব্দুল গনি তালুকদার, পিতা মৃত আয়েন উদ্দিন তালুকদার, চেয়ারম্যান, লোকের পাড়া ইউনিয়ন পরিষদ, থানা ঘাটাইল, জেলা টাংগাইল। ২। নয়েন উদ্দিন, পিতা মৃত জিন্নত আলী, নেহার, লোকের পাড়া ইউনিয়ন পরি- ষদ, থানা ঘাটাইল, জেলা টাংগাইল।
৩	জী, আর-৬৫৭/৭৬	১১-এম, এল, আর/৭৫	১। মোহাম্মদ আলী, পিতা বিশা সেক, সাং বিনপারা, থানা গোপালপুর, জেলা টাংগাইল।

মোঃ জাহির উদ্দিন

সদস্য

সংক্ষিপ্ত সামরিক আদালত, টাংগাইল।

IN THE COURT OF THE ADDITIONAL SUMMARY MARTIAL LAW
FENI, NOAKHALI

NOTIFICATION

SGR No. 81/77

T-94/78.

No. 96/MLC.—Whereas it has been made to appear to this Court that Md. Yusuf Miah whose particulars are given below is required for the purpose of trial in the abovenoted case under MLR. 19 of 1975 and it has been returned to a Warrant of arrest issued, therefor, that the said Md. Yusuf miah cannot be found;

And whereas it has been shown to the satisfaction of this Court that the said Md. Yusuf Miah has absconded or is concealing himself to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the powers conferred by Martial Law Regulation 3(7) of Martial Law Regulation I of 1975, this Additional Summary Martial Law Court, Feni, do hereby direct that the aforesaid accused Md. Yusuf Miah to appear before his Court within 7 days from the day of publication of this Notification failing which he will be tried *in absentia* and his property may be forfeited to the Government:

Particulars of absconding accused.

Md. Yusuf Miah, son of late Sk. Ahmed of Olinagore, P.S. Mireswari
Dist. Chittagong.

A. Z. M. RAFIQUE BHUIYAN

Member
Additional Summary Martial Law Court
Noakhali at Feni.

SUBDIVISIONAL OFFICER, GOPALGANJ, FARIDPUR

NOTIFICATIONS

Gopalganj, the 11th September, 1978.

No. 1420-LG/78.—In exercise of the power conferred on me under section 5(3) of the Local Government Ordinance, 1976, I, M.N. Huda, Subdivisional Officer, Gopalganj and Prescribed Authority do hereby nominate Mrs Hazera Begum, wife of Habibar Rahman Howlader of Goalanka, P.O. Goalanka of Pinjuri Union Parishad, P.S. Kotwalipara, district Faridpur to be a woman Member of Pinjuri U.P. of Kotwalipara P.S. in the vacancy caused due to removal of woman member Mrs Tahmina Begum.

No. 1421-LG/78.—In exercise of the powers conferred on me under section 5(3) of the Local Government Ordinance, 1976, I, M. N. Huda, Subdivisional Officer, Gopalganj and Prescribed Authority, do hereby nominate Mrs Mahinur Begum, wife of Md. Shamsuddin Golder of village P. O. and U.P. Bandhabari P.S. Kotwalipara, in the district of Faridpur, to be a woman member of Bandhabari Union Parishad of Kotwalipara P.S. in the vacancy caused due to removal of Mrs Asia Khatun.

M. N. HUDA

Subdivisional Officer.

OFFICE OF [THE SUBDIVISIONAL OFFICER, COX'S BAZAR
NOTIFICATION

Cox's Bazar, the 15th September 1978.

No. 11(18)/77-E/147.—In exercise of power conferred upon me under Article 17 of the Local Government Ordinance, 1976, I, Abdul Aziz, Subdivisional Officer, Cox's Bazar and Prescribed Authority do hereby notify that the post of Chairman of Badarkhali Union Parishad, P.S. Chakaria, district Chittagong, has been declared vacant with effect from 15th September 1978 for holding re-election as per Order of the Election Tribunal and Honourable High Court, Bangladesh, Dacca.

ABDUL AZIZ
Subdivisional Officer
and
Prescribed Authority.