

The
Bangladesh  Gazette

Extraordinary
Published by Authority

WEDNESDAY, APRIL 20, 1983

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF EDUCATION
NOTIFICATION

Dhaka, the 20th April, 1983

No. S.R.O. 137-L/83.—In pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the Chief Martial Law Administrator is pleased to make the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Teachers and Non-Teaching Staff of Nationalised High Schools (Directorate of Secondary and Higher Education) Absorption Rules, 1983.

(2) These rules shall be deemed to have come into force with effect from the 1st July, 1980.

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

- (a) "appointing authority" means the Government or any officer authorised by the Government in this behalf;
- (b) "Board" means a Divisional Selection Board constituted by the Government for selection of candidates for appointment to certain posts in the Government High Schools;
- (c) "Commission" means the Bangladesh Public Service Commission;
- (d) "Director-General" means the Director-General of Secondary and Higher Education and includes the erstwhile Director of Public Instructions;
- (e) "effective service" means 50% of the total period of continuous service in the post held in the concerned nationalised School;

- (f) "nationalised High School" means a High School whose ownership has been transferred to, through a registered deed executed by the Managing Committee of the High School, and taken over by, the Government;
- (g) "staff" means a full-time employee of a nationalised High School other than a teacher, appointed before the imposition of embargo on appointment by the Director-General, or appointed, after such embargo, with the approval of the Director-General; and
- (h) "teacher" means a full-time teacher of a nationalised High School and includes a Headmaster and an Assistant Headmaster of the said School, appointed before the imposition of embargo on appointment by the Director-General, or appointed, after such embargo, with the approval of the Director-General.

3. **Ad hoc appointment of a teacher.**—(1) A teacher of a nationalised High School shall, subject to the fulfilment of the conditions of rule 5, be appointed on *ad hoc* basis to the same or analogous post he held in the concerned High School before its nationalisation if he possesses the qualification required for appointment to such post.

(2) A teacher of a nationalised High School not having the qualification required for appointment to the post he held in the nationalised High School shall, subject to the fulfilment of the conditions of rule 5, be appointed on *ad hoc* basis to a post immediately lower than the post held by him in the nationalised High School.

(3) A teacher appointed on *ad hoc* basis shall be entitled to such pay and allowances as may be determined by the Government.

4. **Regularisation of ad hoc appointment.**—(1) A teacher appointed on *ad hoc* basis under rule 3 shall be appointed on regular basis through the Commission or the Board, as the case may be, either by interview or otherwise as may be decided by the Commission or the Board.

(2) No teacher shall be eligible for appointment to a post on regular basis unless he possesses the minimum qualification prescribed for appointment to such post:

Provided that the Commission or the Board, as the case may be, may recommend a teacher not possessing the minimum qualification prescribed for appointment to a post, for regular appointment to that post provisionally on the condition that he shall acquire such qualification within a period of three years from the date of the provisional regular appointment, failing which his appointment shall be terminated by the appointing authority:

Provided further that the Commission or the Board, as the case may be, may recommend, as a special case, a teacher not having the teaching degree or diploma or certificate required for appointment to a post, for appointment to that post on regular basis if such teacher already attained the age of 50 years or more on the date of nationalisation of the concerned High School and if he possesses the other qualifications required for such appointment.

5. **Eligibility.**—(1) No person shall be eligible for appointment under these rules if he—

- (a) is not a citizen of Bangladesh 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.

(2) No regular appointment shall be made under these rules unless—

- (a) a person selected for appointment is certified by a medical Board set up by the Director-General of Health Services for the purpose or, as the case may be, by a medical officer duly authorised by him in this behalf to be medically fit for such appointment; and
- (b) the antecedents of the person so selected have been verified through appropriate agency and found to be such as do not render him unfit for appointment in the service of the Republic.

6. **Age limit.**—There shall be no age limit for appointment of a person under these rules:

Provided that the age of a person on the date of nationalisation of a High School shall not exceed the age of superannuation in Government service.

7. **Appointment of staff.**—The members of staff shall be appointed on *ad hoc* basis to the analogous posts provided that they have requisite qualifications prescribed for appointment to such posts. Their appointment shall, subject to the fulfilment of the conditions specified in rule 5, be regularised by the appointing authority in consultation with the Commission or the Board, as the case may be.

8. **Seniority and promotion of teachers and staff.**—(1) Seniority of the teachers and staff shall be determined on the basis of their effective service.

(2) Effective service of the respective teachers and staff shall be counted for the purpose of their promotion to higher posts in accordance with the rules made in this behalf.

9. **Qualifying service for pension.**—Service rendered after *ad hoc* appointment under these rules plus 50% of the continuous service in the nationalised High School shall be calculated towards determination of qualifying service for the purpose of pension:

Provided that the gratuity drawn from previous employer, if any, shall be deducted from the gratuity now admissible under the pension rules and if the amount deductible is equal to or exceeds the amount of gratuity now admissible, no gratuity shall be paid and the monthly pension, that is three-fourths of the gross pension, shall only be admissible.

By order of the
Chief Martial Law Administrator

H. HUQ
Additional Secretary.

OFFICE OF THE CHAIRMAN
SUMMARY MARTIAL LAW COURT NO. 15, BANDARBAN

PROCLAMATIONS

Martial Law Case No. 4/83 and G.R. Case No. 75/73

Whereas it has been made to appear to me that the accused Sirajul Islam, son of Dula Miah of Dulahazara, P.S. Chakaria, Dist. Chittagong, is required for the purpose of trial in the Summary Martial Law Court No. 15, Bandarban;

And whereas the Court has reason to believe that the said accused Serajul Islam, in the case abovementioned, is absconding or concealing himself to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the powers conferred by Regulation No. 2(11) of the Martial Law Regulation No. I of 1982, this Summary Martial Law Court No. 15, Bandarban, do hereby direct the aforesaid accused person to appear in this Court at Bandarban on 30th May 1983 in ML Case No. 4/83, failing which he will be tried *in absentia* and his properties, both movable and immovable, may be forfeited to the Government.

Martial Law Case No. 16/83, G.R. Case No. 196/82

Whereas it has been made to appear to me that the accused persons specified in the schedule below, hereinafter referred to as the said accused persons, are required for the purpose of trial in Summary Martial Law Court No. 15, Bandarban;

And whereas the Court has reason to believe that the said accused persons are absconding or concealing themselves to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the powers conferred by Regulation 2(11) of Martial Law Regulation No. I of 1982, this Summary Martial Law Court No. 15 at Bandarban, do hereby direct the said accused persons to appear in this Court at Bandarban on 9th May 1983 in M. L. Case No. 16/83 failing which they will be tried *in absentia* and their properties, both movable and immovable, may be forfeited to the Government:

Schedule

- (1) Accused Guda Dhar, son of Bama Charan Das of Bailgaon,
- (2) Accused Satya Ranjan Das, son of late Hari Krishna Das of Ratha,
- (3) Accused Nakul Chandra Das, son of Nanda Charan Das of Halipur
- (4) Accused Ledu Ram Das, son of Roy Mohan Das of Ratha,
- (5) Accused Rabindra Jala Das, son of Haripada Jala Das of Kokdandi,
- (6) Accused Jabar Lal Jala Das, son of Nagar Bashi Jala Das of Bailchhari,
- (7) Accused Raj Kishor Jala Das, son of Shashi Kumar Jala Das of Bardarkhai,
- (8) Accused Shamsuddin Ahmed Chy., son of Movi. Siddique Ahmed of Boraghona,

- (9) Accused Dhananjoy Kumar Jala Das, son of Sukhandu Jala Das of Ratha Kurdda,
- (10) Accused Surjya Sen Jala Das, son of late Indra Sen Jala Das of Bailgaon,
- (11) Accused Sadeque Hossain, son of late Hajee Md. Sharif of Khankhana-bad,
all of P.S. Banskali, Dist. Chittagong.
- (12) Accused Moinal Kanti Dhar, son of Himangshu Bimal Dhar of Gobindarkhil, P.S. Patya, Dist. Chittagong;
- (13) Accused Abdul Quddus, son of late Abul Khair of DhoraJa, P. S. Boalkhali, Dist. Chittagong.

SK DALIL UDDIN AHMED

MAJOR

Chairman,

*Summary Martial Law Court No. 15,
Bandarban.*

OFFICE OF THE CHAIRMAN
SUMMARY MARTIAL LAW COURT NO. 18, SYLHET

PROCLAMATIONS

Martial Law Case No. MLGR 12/78 [Jagannathpur P.S. Case No. 4(12)78]

Whereas it has been made to appear to me that the accused persons specified in the Schedule below, hereinafter referred to as the said accused persons, are required for the purpose of trial in Summary Martial Law Court No. 18, Sylhet;

And whereas the Court has reason to believe that the said accused persons are absconding or concealing themselves to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the powers conferred by Regulation 2(11) of Martial Law Regulation No. I of 1982, this Summary Martial Law Court No. 18, Sylhet, do hereby direct the said accused persons to appear in this Court at 09.00 hrs. on 2nd May 1983 in MLGR Case No. 12/78 [Jagannathpur P.S. Case No. 4(12)78], failing which they will be tried in *in absentia* and their properties, both movable and immovable, may be forfeited to the Government:

Schedule

- (1) Abdul Wadud Buaya, *ex-Manager*, Janata Bank, Baropachirbazar, Sylhet, son of late Nazimuddin Bhuya of Bhutail, P.S. Muradnagar, Dist. Comilla,
- (2) Anisuzzaman, *ex-Cashier*, Janata Bank, Boropachirbazar, Sylhet, son of late Md. Khalilur Rahman of Hazrabari, P. S. Melanda Bazar, Dist. Jamalpur.

Martial Law Case No. MLGR 70/82 [Fenchuganj P.S. Case No. 2(10)82]

Whereas it has been made to appear to me that accused Sheruzzaman, son of Abdul Karim of Islamabad, P.S. Fenchuganj, Dist. Sylhet, is required for the purpose of trial in the Summary Martial Law Court No. 18, Sylhet;

And whereas this Court has reason to believe that the said accused Sheruzzaman, in the case abovementioned, is absconding or concealing himself to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the powers conferred by Regulation 2(11) of the Martial Law Regulation No. I of 1982, this Summary Martial Law Court No. 18, Sylhet, do hereby direct the aforesaid accused person to appear in this Court at 09-00 hrs. on 2nd May 1983 in Case No. MLGR 70/82 [Fenchuganj P.S. Case No. 2(10)82], failing which he will be tried *in absentia* and his properties, both movable and immovable, may be forfeited to the Government:

Martial Law Case No. MLGR-91/82 [Jaintiapur P.S. Case No. 3(10)82]

Whereas it has been made to appear to me that the accused persons specified in the schedule below, hereinafter referred to as the said accused persons, are required for the purpose of trial in Summary Martial Law Court No. 18, Sylhet;

And whereas the court has reason to believe that the said accused persons are absconding or concealing themselves to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the power conferred by Regulation 2(11) of Martial Law Regulation No. I of 1982, this Summary Martial Law Court No. 18, Sylhet, do hereby direct the said accused persons to appear in this Court at 09-00 hrs. on 2nd May 1983 in MLGR Case No. 91/82 [Jaintiapur P. S. Case No. 3(10) 82], failing which they will be tried *in absentia* and their properties, both movable and immovable, may be forfeited to the Government:

Schedule

- (1) Mahammad Ali *alias* Mokai Hajee, son of late Sagir Mohammad of Khargram, P. S. Jaintiapur, Dist. Sylhet.
- (2) Ataur Rahman, son of Mokai Hajee of Khargram, P. S. Jaintiapur Dist. Sylhet.
- (3) Abdul Aziz, son of Mokai Hajee of Khargram, P. S. Jaintiapur, Dist. Sylhet.

Martial Law Case No. MLGR 106/82 [Kotwali P.S. Case No. 29(11)82]

Whereas it has been made to appear to me that the accused persons specified in the schedule below hereinafter referred to as the said accused persons, are required for the purpose of trial in Summary Martial Law Court No. 18, Sylhet;

And whereas the court has reason to believe that the said accused persons are absconding or concealing themselves to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the power conferred by Regulation 2(11) of Martial Law Regulation No. I of 1982, this Summary Martial Law Court No. 18, Sylhet, do hereby direct the said accused persons to appear in this Court at 09-00 hrs. on 2nd May 1983 in MLGR Case No. 106/82 [Kotwali P.S. Case No. 29(11)82], failing which they will be tried *in absentia* and their properties, both movable and immovable, may be forfeited to the Government:

Schedule

- (1) Monu Mia, son of late Shamsu Mia of Shamashpur, P.S. Kotwali, Dist. Sylhet.
- (2) Chand Mia, son of late Shamsu Mia of Shamahshpur, P.S. Kotwali, Dist. Sylhet.
- (3) Mortuz Mia, son of late Shamsu Mia of Shamashpur, P.S. Kotwali, Dist. Sylhet.

MOHAMMAD SHAHJAHAN
LT. COL.

*Chairman,
Summary Martial Law Court No. 18,
Sylhet.*

OFFICE OF THE CHAIRMAN
SUMMARY MARTIAL LAW COURT NO. 19, JESSORE

Martial Law Case No. SMLC-38/83

Whereas it has been made to appear to me that the accused Aftabuddin Ahammad Member, Sarutia Union Parishad No. VI, son of Azahar Ali of Pur-tan Bakharba, P.S. Saikupa, Dis. Jessore, is required for the purpose of trial in the Summary Martial Law Court No. 19, Jessore;

And whereas the Court has reason to believe that the said accused Aftabuddin Ahammad, in case abovementioned, is absconding or concealing himself to avoid appearance or arrest for the said purpose;

Now, therefore, in exercise of the powers conferred by Regulation 2(11) of the Martial Law Regulation No. I of 1982, this Summary Martial Law Court No. 19, Jessore, do hereby direct the aforesaid accused person to appear in this Court at 09-00 hours on 25th May 1983 in Case No. SMLC-38/83 corresponding to MLGR-22/82 and Saikupa P.S. Case No. 9, dated 22nd May 1982, failing which he will be tried *in absentia* and his properties, both movable and immovable, may be forfeited to the Government.

ZAHIRUDDIN AHMED
MAJOR

*Chairman,
Summary Martial Law Court No. 19,
Jessore.*