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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
CHIEF MARTIAL LAW ADMINISTRATOR'S SECRETARIAT

Establishment Division

Section Regulation-II

NOTIFICATION

Dhaka, the 27th January, 1983

No. S.R.O. 33-L/83/ED(R-II)S-48/82.—In pursuance of the Proclamation of the 24th day of 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.**—These rules may be called the Defence Services Officers (Appointment and Fixation of Seniority in Civil Post) Rules, 1983.

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

- (a) "appointing authority" means the Government and includes any officer authorised by the Government in this behalf;
- (b) "competent authority" means the authority competent to recommend appointment to a civil post;
- (c) "civil post" means any post or office in civil administration, the pay and remuneration of which is charged from the civil budget estimates and includes any post or office in any authority, corporation or

body the activities or the principal activities of which are authorised by any Act, Ordinance, Order or instrument having the force of law in Bangladesh;

- (d) "Secondment" means making the services of the members of the Defence Services available on loan for appointment to the civil posts;
- (e) "defence service officer" means a commissioned officer, including a released or retired officer, from Bangladesh Army, Bangladesh Navy or Bangladesh Air Force; and
- (f) "service headquarters" means the headquarters of Bangladesh Army, Bangladesh Navy or Bangladesh Air Force, as the case may be.

3. **Appointment of defence service officers to a civil post.**—(1) A defence service officer may be appointed by the appointing authority to a civil post after obtaining clearance from the concerned service headquarters through the Ministry of Defence:

Provided that no appointment shall be made to a civil post under this rule except upon the recommendation of the competent authority.

(2) Subject to the provision of sub-rule (1), a defence service officer shall be appointed to such a civil post which is commensurate with the rank held by him in the defence service immediately before his release or retirement.

(3) A defence service officer appointed to a civil post under this rule shall be subject to such rules, regulations or terms and conditions of service as are applicable to other incumbents of the civil post.

4. **Secondment of defence service officers to civil post.**—(1) A defence service officer may, on the recommendation of the concerned service headquarters, be seconded to such a civil post which is commensurate with the rank held by him in the defence service.

(2) A defence service officer seconded to a civil post shall be appointed on such terms and conditions as may be determined by the Government.

5. **Fixation of seniority of defence service officers appointed to a civil post.**—

(1) Subject to sub-rule (2), a defence service officer appointed to a civil post shall take his seniority *inter se* with effect from the date of his commission in the defence service.

(2) The period of break of service of a defence service officer, if any, between the period of his release or retirement and appointment to a civil post, shall not be counted towards seniority in the civil post.

(3) Notwithstanding anything contained in sub-rules (1) and (2), a prematurely or compulsorily released or retired defence service officer shall lose such period of their commissioned service as may be fixed by the concerned service headquarters and intimated to the Establishment Division through the Ministry of Defence.

6. **Promotion not to be effected, etc.**—(1) Any person promoted to a higher post before the commencement of these rules shall not, on account of the fixation of seniority of a defence service officer, be affected.

(2) A defence service officer found senior, due to application of these rules, to a person promoted to a higher post shall be promoted to such post as and when vacancy occurs and, on such promotion, he shall take seniority with effect from the date of promotion of the junior officer.

7. **Seniority of defence service officers appointed to civil post prior to commencement of rules.**—The seniority *inter se* of defence service officers appointed to civil posts prior to the commencement of these rules shall be reviewed and their seniority *inter se* shall be fixed according to these rules.

8. **Application of general principles of seniority.**—A general principle of seniority shall be made applicable in cases where seniority *inter se* cannot be determined in accordance with these rules.

By order of the
Chief Martial Law Administrator
D. S. YUSUF HYDER
Additional Secretary-in-charge.