

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা  
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, নভেম্বর ২৬, ১৯৯২

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

প্রধানমন্ত্রীর কার্যালয়

প্রজ্ঞাপন

তারিখ ৯ই অক্টোবর, ১৩৯৯/২০শে নভেম্বর, ১৯৯২

এস. আর. ও নং ২৫৩-আইন/৯২—Criminal Law Amendment Act, 1958 (XL of 1958) এর section 12 এ প্রদত্ত ক্ষমতাবলে সরকার Criminal Law Amendment (Sanction for Prosecution) Rules, 1977 এ নিম্নরূপ সংশোধন করিলেন, যথা—

উপরি-উক্ত Rules এর—

(১) rule 2 এর পরিবর্তে নিম্নরূপ rule 2 প্রতিস্থাপিত হইবে, যথা:—

"2. **Definitions:**— Unless there is anything repugnant in the subject or context, in these rules—

(a) "Act" means the Criminal Law Amendment Act, 1958 (XL of 1958);

(b) "Divisional Committee" means a committee constituted under rule 3A;

(c) "Schedule" means the Schedule to these rules."



(২) rule 3 এর পরিবর্তে নিম্নরূপ rules 3, 3A and 3B প্রতিস্থাপিত হইবে, যথা:—

“3. **Sanction for prosecution:**—(1) Sanction for prosecution as required under sub-section (5) of section 6 of the Act shall, in relation to a public servant specified in column 2 of the Schedule, be accorded by the person or, as the case may be, the Divisional Committee specified in column 3 thereof.

(2) For the purposes of sub-rule (1), the status of a public servant shall be determined on the basis of—

- (a) the status held by him at the time when the sanction for prosecution is sought; or
- (b) the status last held by him as a public servant, if he, at the time when such sanction is sought, is not a public servant; or
- (c) the status last held by him at the time, or during the period, of the Commission of the alleged offence, if, at the time when such sanction is sought, he holds or is found to have held a status lower than the status last held by him:

Provided that the status of a public servant, who is or was serving on deputation, shall be determined on the basis of the status which he would have held in his parent office or organisation had he not been on such deputation:

Provided further that where any question arises as to the status held by a public servant, the decision of the Government in the Prime Minister's Office on such question shall be final.

3A. **Divisional Committee.**—(1) For the purposes of these rules, there shall, in each administrative Division, be a committee to be known as the Divisional Committee on Sanction for Prosecution, which shall consist of the following members, namely:—

- (a) Commissioner of the Division, *ex-officio*, who shall also be its Chairman;



- (b) Deputy Inspector General of Police in charge of the Range or Division, *ex-officio* ;
- (c) Deputy Director (Health) in charge of the Division, *ex-officio* ;
- (d) a Division Level officer of the Department to which the Public servant belongs or a Class-I Officer nominated by the Head of that Department ; and
- (e) Deputy Director of the Bureau of Anti-Corruption in-charge of the Region or Division, *ex-officio*, who shall also be its Member-Secretary.

(2) The Divisional Committee shall meet at least once in a month at the place and time to be decided by the Chairman of the Committee; and at such meeting presence of three members including the Chairman will form a quorum.

(3) The Divisional Committee shall decide a case on the basis of majority opinion of the members present and if there be an equality of opinion on any matter to be decided by the Committee, the Chairman shall have a second or casting vote.

3B. **Communicating sanction etc.**—Sanction for prosecution, whether accorded or refused, shall, as soon as possible, be directly communicated to the officer seeking such sanction and a copy thereof shall simultaneously be sent to the Bureau of Anti-Corruption for maintenance of record and also to the Head of the Department or as the case may be to the Ministry, Division, Secretariat or the concerned authority or office.”;

(৩) rule 4 এর পর নিম্নরূপ Schedule সংযোজিত হইবে; যথাঃ—



## "SCHEDULE

See rule 3.

Sl. No.	Grades of Public servant	Persons etc. authorised to accord sanction for prosecution.
1	2	3
1.	All employees, including those of Bangladesh Railway holding Class-III or Class-IV posts in any Government office or any office of statutory, autonomous or semi-autonomous bodies or other local authorities situated within the Division, but excluding those mentioned at Sl. No. 4.	Divisional Committee.
2.	Persons employed on master roll or work-charged basis or as contingent staff in relation to any work of the offices mentioned at Sl. No. 1 above.	Ditto.
3.	Chairmen and members of Union Parishads and Commissioners of Paurashavas within the Division.	Ditto.
4.	All employees holding Class-III or Class-IV Post, in—	Secretary to the Prime Minister.
	(i) Ministries or Division in the Bangladesh Secretariat;	
	(ii) Secretariat of the Parliament;	
	(iii) Secretariat of the Bangladesh Public Service Commission;	
	and	
	(iv) Secretariat of the Election Commission;	
	(v) Controller and Auditor-General's Office;	



- (vi) Directorates of the Government whether headed by a Director or Director-General.
- (vii) Head Offices of Attached Departments and Sub-ordinate offices.
5. Persons employed on master roll or work-charged basis or as contingent staff in relation to any work of the offices mentioned at Sl. No. 4 above. Dito.
6. All Class I and Class II Government officers appointed to posts the initial basic pay of which is in a scale below the scale of 6300—8050 of the চাকরী (বেতন ও ভাতাদি) আদেশ, ১৯৯১ or the corresponding pay prevalent at the relevant time; Principal Secretary, Prime Minister's Office.
7. All officers (that is excluding Class III and Class IV employees) of statutory, autonomous, semi-autonomous bodies and other local authorities including nationalised banks and financial institutions, but excluding Members and Chairmen of the Board of Directors/Governors/Trustee, in whatever names called, of those bodies, authorities, banks and financial institutions. Dito.
8. All Government officers appointed to a post the initial basic pay of which is in the scale of 6300—8050 or above of the চাকরী বেতন ও ভাতাদি আদেশ, ১৯৯১ or the corresponding pay prevalent at the relevant time. Prime Minister
9. Members and Chairmen of the Board of Directors/Governors/Trustee, in whatever names called, of statutory, autonomous, semi-autonomous bodies and other local authorities including nationalised banks and financial Institutions. Dito.
10. Mayors, Deputy Mayors and Commissioners of City Corporations. Dito.



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| 11. | Chairmen of Paurashavas.   | Ditto.   |
| 12. | Members of the Parliament.   | Ditto.   |
| 13. | In the case of any public servant not specifically mentioned in this Schedule. | Prime Minister or a person authorised by him." 1 |

বাস্তবপরিচয় আবেদনক্রমে

ডঃ কামালউদ্দিন নিমিত্তকী  
প্রধানমন্ত্রীর দফতর।

বান্দিউর বহমান, উপ-নিয়ন্ত্রক, বাংলাদেশ সরকারী মুদ্রণালয়, ঢাকা কর্তৃক মুদ্রিত।  
মোঃ আব্দুর রশীদ সরকার, উপ-নিয়ন্ত্রক, বাংলাদেশ ফরমস্ ও প্রকাশনী অফিস,  
ভেঙ্গগাঁও, ঢাকা কর্তৃক প্রকাশিত।