

The

Bangladesh  Gazette

Extraordinary
Published by Authority

THURSDAY, MAY 12, 1983

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

Establishment Division

Regulation Wing

Section-I.

NOTIFICATION

Dhaka, the 12th May, 1983

No. S.R.O.157-L/83/ED/Reg.I/S-4/83.—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, after consultation with the Bangladesh Public Service Commission, is pleased to make the following rules, namely:—

1. **Short title.**—These rules may be called the Regularisation of *Ad Hoc* Appointment Rules, 1983.

2. **Definition.**—In these rules, unless there is anything repugnant in the subject or context, "*ad hoc* appointee" means a person appointed on *ad hoc* basis at any time between the 9th April, 1972, and 24th January, 1982, both days inclusive, either by promotion or by direct recruitment, to a post now borne on the revenue budget and is continuing in such post.

3. **Regularisation.**—Notwithstanding anything contained in any other rules,—

- (a) an *ad hoc* appointment shall, in consultation with the Bangladesh Public Service Commission, be regularised only if the *ad hoc* appointee possesses or had possessed the requisite qualifications prescribed for the post or service, as the case may be, in the existing recruitment rule or in recruitment rule or any recruitment procedure duly approved by authority competent in this behalf existing at the time of his *ad hoc* appointment;

- (b) the upper limit of age for appointment in a post held by an *ad hoc* appointee shall be deemed to have been relaxed to such extent as may be required to make such an appointee eligible for appointment to the post; and
- (c) an *ad hoc* appointee shall not be required to compete with others for the purpose of his selection for regular appointment to the post which he has been holding on *ad hoc* basis.

By order of the
Chief Martial Law Administrator

D. S. YUSUF HYDER
Additional Secretary.

MINISTRY OF INDUSTRIES AND COMMERCE

Commerce Division

NOTIFICATION

Dhaka, the 12th May, 1983

No. S.R.O. 158-L/83.—The following draft of certain further amendments which the Government proposes to make in the Patents and Designs Rules, 1933, in exercise of the powers conferred by section 57 and section 77 of the Patents and Designs Act, 1911 (II of 1911), is hereby published, as required by sub-section (2) of the last named section, for information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after 30th June 1983.

Any objection or suggestion with respect of the said draft which may be received by the undersigned before the date specified will be duly considered by the Government:

Draft Amendment

In the aforesaid Rules,—

- (1) in rule 43, for the full-stop at the end a colon shall be *substituted* and thereafter the following proviso shall be *added*, namely:—

“Provided that where, before or within three months after the expiration of the said period of six months, a request is made to the Controller for an extension time, the application shall, on payment of the prescribed fee, be continued for any period so requested not exceeding in all three months from the expiration of the said period of six months.”;

- (2) in the First Schedule, after the Number of entry 28 in the first column and the entries relating thereto in the second, third and fourth columns, the following new entries shall be *inserted*, namely:—

“28A On request for extension of time under rule 43 4 50.00”; and

(3) in the Second Schedule,—

(a) in the second column, in the entries against Form No. 4 in the first column, for the word, figure and letter "or 38A" the comma, figures, letter and word "38A or 43" shall be *substituted*; and

(b) for Form 4, the following shall be *substituted*, namely :—

"Form 4

PATENTS AND DESIGNS ACT, 1911

Application for extension of time, sections 4A, 5, 10, 14 or rule 11, 38A or 43.

FEE

See footnote

'Insert (in full) name, address and nationality.

I or (We).....
hereby apply for months extension of time :—

Strike out the words which are not applicable.

Quote number and year of application or patent.

- (a) Under section 4A for leaving a complete specification in respect of application No..... of.....;
- (b) Under section 5(4) for the acceptance of the application for a Patent No. of.....;
- (c) Under section 10(2) (b) for the sealing of a Patent on application No..... of.....;
- (d) Under section 14(2) for payment of renewal fee on the patent No..... of.....;
- (e) Under rule 11 for leaving copy (or copies) of the British specification (or specifications), drawing or documents in respect of application No..... of.....;
- (f) Under rule 38A for leaving a certified copy of the design filed with the British application in respect of design application No.....;
- (g) Under rule 43 for acceptance of the application for a design No..... of.....

The reasons for making the application are as follows :—

.....

.....

.....

My (or Our) address for service in Bangladesh is :—

.....

.....

.....

Dated this.....day of
.....198.....

(Signed).....

To

THE CONTROLLER OF PATENTS AND DESIGNS,
THE PATENT OFFICE
DHAKA

Note :—Time allowed and fees payable:—

(a) One month, Tk. 30'00

(b) or (g) Three months, Tk. 50'00

(c), (d), (e) or (f) one month, Tk. 30'00;

two months, Tk. 40.00;

three months, Tk. 50'00."

By order of the
Chief Martial Law Administrator
MAHFUZUR RAHMAN KHAN
Deputy Secretary.

MINISTRY OF FINANCE AND PLANNING

Internal Resources Division

(Income-Tax)

NOTIFICATION

Dhaka, the 12th May, 1983

No. S.R.O. 159-L/83.—In exercise of the powers conferred by sub-section (1) of section 60 of the Income-tax Act, 1922 (XI of 1922), the Government is pleased to exempt from the tax payable under the said Act in respect of—

- (a) salaries of expatriate personnel employed by the Industrial Promotion and Development Company of Bangladesh Limited, hereinafter referred to as IPDC, for a period of five years from the date of taking up their employment in Bangladesh, provided the same income is exempt from tax in the employee's own country;

- (b) fees paid by IPDC for the professional services of foreign consultants not resident in Bangladesh;
- (c) interest on loans paid by IPDC to the shareholders of IPDC or on the loans of foreign lenders other than the shareholders; and
- (d) dividends paid by IPDC to the International Finance Corporation, Industrial Promotion Services, Deutsche Gesellschaft Fure Wirtschaftlich Zu Sammenarbeit (Entwicklungs-Gesellschaft) and the Commonwealth Development Corporation.

By order of the
Chief Martial Law Administrator

MD. MATIUR RAHMAN

Joint Secretary.

[C. No. 2(5)T-1/83]

MINISTRY OF LABOUR AND MANPOWER

(Labour and Manpower Division)

Section V

NOTIFICATION

Dhaka, the 12th May, 1983

No. S.R.O. 160-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.**—These rules may be called the Non-Gazetted Employees (Department of Inspection for Factories and Establishments) Recruitment 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, in relation to any specified post or class of such posts, any officer authorised by the Government to make appointment to such post or class of posts;
- (b) "Commission" means the Bangladesh Public Service Commission;
- (c) "Probationer" means a person appointed on probation to a specified posts;
- (d) "recognised University" means a University established by or under any law for the time being in force and includes any other University declared by the Government, after consultation with the Commission, to be a recognised University for the purpose of these rules;
- (e) "requisite qualification", in relation to a specified post means the qualification laid down in the Schedule in relation to that post;
- (f) "Schedule" means the Schedule annexed to these rules; and
- (g) "Specified post" means a post specified in the Schedule.

3. **Procedure for recruitment.**—(1) Subject to the provisions of the Schedule, appointment to a specified post shall be made—

- (a) by direct recruitment; or
- (b) by promotion.

(2) No person shall be appointed to a specified post unless he has the requisite qualification and, in the case of direct recruitment, he is also within the age limit laid down in the Schedule for that post:

Provided that the upper limit of age may be relaxed, in the case of a person who has already been appointed to a specified post on *ad hoc* basis, by such period as he may have been holding the post continuously as an *ad hoc* appointee.

4. **Appointment by direct recruitment.**—(1) No appointment to a specified post by direct recruitment shall be made except upon the recommendation of the Commission.

(2) No person shall be eligible for appointment to a specified post by direct recruitment, if he—

- (a) is not a citizen of Bangladesh or a permanent resident of, or domiciled in, Bangladesh:

Provided that this clause shall not apply in the case of a person who is already in the service of the Republic;

- (b) is married to, or has entered into a promise of marriage with, a person who is not a citizen of Bangladesh.

(3) No appointment to a specified post by direct recruitment shall be made until—

- (a) the person selected for appointment is certified by a Medical Officer duly authorised by the Government in this behalf to be medically fit for such appointment and that he does not suffer from any such organic defect as is likely to interfere with the discharge of the duties of the specified post; and

- (b) the antecedents of the person so selected have been verified through appropriate agencies and found to be such as do not render him unfit for appointment in the service of the Republic.

(4) No person shall be recommended for appointment to a specified post unless—

- (a) he applied in such form, accompanied by such fee and before such date, as was notified by the Commission or by the Divisional Selection Board, as the case may be, while inviting applications for the specified post; and
- (b) in the case of a person already in Government service or in the service of a local authority, he applied through his official superior.

5. **Appointment by promotion.**—(1) Appointment by promotion to a specified post shall be made on the recommendation of such Departmental Promotion Committee as the Government may constitute in this behalf.

(2) A person shall not be eligible for appointment by promotion to a specified post if he has unsatisfactory records of service.

6. **Probation.**—(1) Persons selected for appointment to a specified post against a substantive vacancy shall be appointed on probation—

(a) in the case of direct recruitment, for a period of two years from the date of substantive appointment; and

(b) in case of promotion, for a period of one year from the date of such appointment:

Provided that the appointing authority may, for reasons to be recorded in writing, extend the period of probation by a period or periods so that the extended period does not exceed two years in the aggregate.

(2) Where, during the period of probation of a probationer, the appointing authority is of opinion that his conduct and work is unsatisfactory or that he is not likely to become efficient, it may, before the expiry of that period,—

(a) in the case of direct recruitment, terminate his service; and

(b) in the case of promotion, revert him to the post from which he was promoted.

(3) After the completion of the period of probation including the extended period, if any, the appointing authority,—

(a) if it is satisfied that the conduct and work of the probationer during his period of probation has been satisfactory, shall, subject to the provisions of sub-rule (4), confirm him; and

(b) if it is of opinion that the conduct and work of the probationer during that period was not satisfactory, may,—

(i) in the case of direct recruitment, terminate his service; and

(ii) in the case of promotion, revert him to the post from which he was promoted.

(4) A probationer shall not be confirmed in a specified post until he has passed such examination and undergone such training as the Government may, from time to time, prescribe by order.

7. **Repeal.**—The Non-Gazetted Employees (Department of Inspection for Factories and Establishments) Recruitment Rules, 1975, published under the late Ministry of Labour, Social Welfare, Cultural Affairs and Sports Notification No. S.R.O 143-L/75/S-V/1R-6/74/129, dated the 23rd April, 1975, are hereby repealed.

SCHEDULE

Sl. No.	Name of the Specified post.	Age limit for direct recruitment.	Method of recruitment.	Qualification and experience.
1	2	3	4	5
1	Assistant Inspector of Factories and Establishments (Engineering).	Not exceeding 25 years, relaxable by 5 years in the case of Government servant.	By direct recruitment	Diploma in Mechanical, Chemical, Electrical, Civil or Power Technology from a Polytechnic Institute recognised by the Government.
2	Inspector of Shops and Establishments.	Ditto	(a) 50% by direct recruitment and (b) 50% by promotion from amongst the Lower Division Assistant, Lower Division Assistant-cum-Typists and Typists.	(i) <i>For Direct recruitment</i> —Bachelor's Degree from a recognised University. (ii) <i>For promotion</i> .—At least 5 years' experience in a post or posts specified in column 4.
3	Assistant Inspector of Factories and Establishments (Medical).	Ditto	By direct recruitment	Bachelor's degree in Science with Chemistry and Zoology from a recognised University.
4	Statistical Assistant	Ditto	By direct recruitment	Bachelor's degree with Mathematics, Commerce, Economics or Statistics from a recognised University.

5 Accountant

Not exceeding 25 years' relaxable by 5 years in the case of a Government servant.

By promotion from amongst the Lower Division Assistants and, if none is found suitable for promotion, by direct recruitment.

(i) *For promotion.*—At least 5 years' experience as Lower Division Assistant.

(ii) *For direct recruitment.*—Bachelor's degree in Commerce from a recognised University.

By order of the
Chief Martial Law Administrator

SYED AMIR KHASRU
Secretary.