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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

CABINET SECRETARIAT

Establishment Division

(Implementation Cell)

NOTIFICATIONS

Dacca, the 15th June, 1981

No. ED(IC)SH-41/80-187.—In exercise of the powers conferred by section 4 of the Services (Reorganisation and Conditions) Act, 1975 (XXXII of 1975), the Government is pleased to make the following amendments in the Senior Services Pool Order, 1979, namely :—

In the said Order—

- (i) in clause (b) of paragraph 4, in sub-paragraph (1) of paragraph 7 and in paragraph 5 for the expression "15th day of June, 1981" the expression "30th day of June, 1981" shall be substituted;
- (ii) in sub-paragraph (2) of paragraph 4C for the expression "16th June, 1981" the expression "1st July, 1981" shall be substituted.

No. ED(IC)SH-89/80-188.—In exercise of the powers conferred by sub-clause (iv) of clause (a) of section 5 of the Bangladesh Public Service Commission Ordinance, 1977 (Ord. No. LVII of 1977), the President is pleased

(1509)

Price : 75 Paisa.

to make the following amendment in this Division notification S.R.O. No. 325-L/80-ED(IC)SII-89/80-87, dated the 11th September, 1980, namely:—

In the said notification, in paragraph 2 under the Schedule for the words "15th day of June, 1981" the words "30th day of June, 1981" shall be substituted.

By order of the President
MD. NURUZZAMAN
Additional Secretary.

MINISTRY OF FINANCE
Banking and Investment Division

NOTIFICATION

Dacca, the 13th June, 1981

No. S.R.O. 214-L/81.—In exercise of the powers conferred by Article 42 of the Bangladesh Shilpa Rin Sangstha Order, 1972 (P. O. No. 128 of 1972), the Government is pleased to make the following rules, namely:—

THE BANGLADESH SHILPA RIN SANGSTHA (DIRECT SALE OF MORTGAGED PROPERTY) RULES, 1981.

1. **Short title and commencement.**—(1) These rules may be called The Bangladesh Shilpa Rin Sangstha (Direct Sale of Mortgaged Property) Rules, 1981.

(2) They shall come into force at once.

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

(a) "Article" means an Article of the Bangladesh Shilpa Rin Sangstha Order, 1972 (P. O. No. 128 of 1972); and

(b) "mortgaged property" means the property pledged, mortgaged, hypothecated or assigned to the Sangstha.

3. **Prior approval of the Managing Director.**—(1) A Department or Branch of the Sangstha shall, before initiating action against any industrial concern under Article 34, obtain prior approval of the Managing Director.

(2) When approval under sub-rule (1) is obtained, the proposal for initiating action under Article 34 shall be submitted to the Law Department of the Head Office of the Sangstha for further processing the case.

4. **Service of Notice.**—(1) On receipt of a proposal under sub-rule (2) of rule 3, the Law Department of the Head Office of the Sangstha shall send by registered post with acknowledgement due a notice upon the industrial concern, its sureties, if any, and other persons liable for the dues to show cause within twenty-one days of the issue of the notice as to why the Sangstha shall not take over the management and administration of the industrial concern under Article 34 and sell the mortgaged property either by public auction or by calling public tender or otherwise for realisation of the outstanding dues with interest and other charges.

(2) The notice sent as aforesaid to the recorded address of the industrial concern and any other person liable for the dues shall be deemed to have been validly served, even if the same is refused or returned for any reason whatsoever.

(3) Such notice may also be published in the newspaper if it is so decided by the Sangstha.

5. Decision to be taken for sale after the expiry of the period of notice.—

(1) Where the industrial concern or any person liable for the dues has not shown any cause in pursuance of the notice given under rule 4, the Sangstha shall, after the expiry of the period specified in that rule, sell such property either by public auction or by calling public tender or otherwise as may be decided by the Sangstha.

(2) Where the industrial concern or any person liable for the dues has shown cause in pursuance of the notice given under rule 4, the Law Department of the Head Office of the Sangstha shall submit the case to the Managing Director through the General Manager of the Sangstha with their observations and comments and thereupon the Managing Director may make such order as he deems fit.

(3) The order made by the Managing Director under sub-rule (2) shall be communicated to the industrial concern or to any other person liable to pay the dues in the manner specified in rule 4 and a copy thereof may be displayed in the notice board of the Sangstha at its Head Office.

(4) The industrial concern or any person aggrieved by any order made by the Managing Director under sub-rule (2), may, within twenty-one days of the passing of the order, file an application for revision of the said order before the Board, whose decision thereon shall be final.

(5) If an order under sub-rule (2) or sub-rule (4) is made for the sale of the mortgaged property, the same shall immediately be sold in the manner provided in sub-rule (1).

6. Notice for Sale.—The Head of the Law Department of the Head Office of the Sangstha or any other officer nominated by the Managing Director shall conduct the sale of the mortgaged property and he shall publish in two daily newspapers, one in Bengali and the other in English, a notice for sale with particulars of the mortgaged property and the claim and dues of the Sangstha and call public tenders, with earnest money not exceeding 10 per cent of the value quoted by a tenderer, for purchasing the mortgaged property within a specified period or invite bidders, with earnest money not exceeding 10 per cent of the notified claim and dues of the Sangstha, in the auction sale to be held on a specified date, time and place.

(2) The notice for sale published under sub-rule (1) shall lay down the conditions specified in rule 8.

(3) The notice for sale under sub-rule (1) shall be published at least seven days before the date fixed for sale either by calling public tender or by public auction and shall also be displayed in the notice board of the branch of the Sangstha from where the loan was given and the Head Office of the Sangstha.

7. Sale by Auction, Tender, etc.—(1) If no bidder or tenderer is forthcoming to purchase the mortgaged property, the Sangstha may adjourn the sale and put the mortgaged property again on public auction, or call public tender in accordance with the provisions of rule 6.

(2) The Sangstha may accept or reject all or any bids or tenders without assigning any reason therefor.

(3) The Sangstha may also sell the mortgaged property by private negotiations with the approval of the Managing Director, if reasonable price for the mortgaged property is not offered by any bidder or tenderer.

8. **Deposit of Bid or Tender Money.**—(1) The bidder or tender whose bid or tender is accepted shall have to deposit, within seven days of the said acceptance, half of the bid or tender money in the Head Office of the Sangstha or in any scheduled bank specified by the Sangstha in that behalf and in default of such deposit the bid or tender shall stand rejected and the earnest money deposited with the bid or, as the case may be, tender shall stand forfeited to the Sangstha.

(2) If the bidder or tenderer has made the deposit as required under sub-rule (1), he shall deposit the balance amount within thirty days from the date of auction or acceptance of the tender, as the case may be, and, in default of such deposit, the half of the bid money or tender money deposited under sub-rule (1) shall stand forfeited to the Sangstha and the mortgaged property may be resold.

9. **Sale Certificate.**—When the full sale price of the mortgaged property has been deposited under rule 8, a sale certificate shall be given by the Head of the Law Department of the Head Office of the Sangstha or any other officer authorised by the Sangstha in this behalf to the purchaser of the property.

10. **Delivery of Possession.**—After the issuance of the sale certificate under rule 9, an officer of the Sangstha shall deliver possession including vacant possession of the mortgaged property to the purchaser.

11. **Surplus Money.**—After the sale of the mortgaged property, if there is any surplus money left out after the full satisfaction of the dues of the Sangstha from the sale proceeds, the Sangstha shall return the surplus money to the owner of the mortgaged property and until so returned, the same shall be kept in the Sundry Deposit Account of the Sangstha.

By order of the President
JITENDRA LAL CHAKRABORTY
Deputy Secretary.

Investment Wing

NOTIFICATION

Dacca, the 13th June, 1981

No. S.R.O. 215-L/81.—In exercise of the powers conferred by Article 43 of the Bangladesh Shilpa Bank Order, 1972 (P. O. No. 129 of 1972), read with Article 24 thereof, the Government is pleased to make the following rules, namely :—

THE BANGLADESH SHILPA BANK (PAYMENT OF COMPENSATION) RULES, 1981

1. **Short title.**—These rules may be called The Bangladesh Shilpa Bank (Payment of Compensation) Rules, 1981.

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

- (a) "Form" means a Form annexed to these rules ;
- (b) "net surplus" means the net surplus of the assets after deducting liabilities arising out of, and in connection with, the undertaking of the Development Bank and the Fund within or without Bangladesh on the 31st December, 1971 ; and
- (c) "shareholder in Bangladesh" means any individual person, being a national of Bangladesh or a firm, company, corporation or co-operative society, established or incorporated in Bangladesh under any law, which held shares in the Development Bank or in the Fund, and includes the Bangladesh Shilpa Bank Employees Provident Fund.

3. **Determination of compensation.**—Every shareholder in Bangladesh shall be paid such compensation as shall be determined by the Bank on the basis of the net surplus.

4. **Calculation of net surplus.**—For the purpose of calculation of net surplus, the assets and liabilities of the Development Bank and the Fund shall be determined on the following principles, namely :—

(a) assets—

- (i) the value of land, whether there is any construction or not, shall be taken at cost value ;
- (ii) fixed assets, including building, furniture and fixtures, shall be taken at book value, that is, cost minus depreciation in accordance with the normal rate specified in clause (vi) of sub-section (2) of section 10 of the Income-tax Act, 1922 (XI of 1922) ;
- (iii) shares and stocks, debentures and securities of any description of companies or anybody corporate which have been nationalised by the Government shall be valued at the rates at which compensation is paid by the Government provided that where no such compensation has yet been assessed these shall be taken at their face value ;
- (iv) shares and debentures of statutory corporations shall be taken at their realisable value or face value, whichever is less ;
- (v) Government securities shall be taken at face value ;
- (vi) other assets, if any, shall be taken at their book value ;
- (vii) goodwill of the undertaking shall not bear any value ; and
- (viii) book debts, including industrial loans, shall be taken at their realisable value.

(b) liabilities —

- (i) all such liabilities to the Government or to the local authorities in the form of revenue, taxes, cesses, rates or other dues as may have been assessed or where no such assessment has been made by the appropriate authority, as may be certified by the qualified Auditors ;

- (ii) all liabilities to the officers and other employees of the Development Bank and the Fund due on account of salary, provident fund contribution, pension, annuity or gratuity or of any other payment shall be taken at actual value ;
- (iii) all loans and outstandings at their book value ; and
- (iv) all such contingent liabilities as may be estimated.

5. **Mode of payment.**—(1) On determination of the amount of compensation, the Bank shall communicate to the shareholders in Bangladesh the amount payable to them in such manner as it considers fit.

(2) The compensation shall be paid only to the shareholders in Bangladesh in cash unless it is otherwise decided by the Government.

6. **Application for payment of compensation.**—(1) The shareholders in Bangladesh shall make an application to the Bank in Form-A accompanied by an indemnity bond in Form-B.

(2) The Bank, on receipt of an application under sub-rule (1), shall make payment of compensation in the manner specified in sub-rule (2) of rule 5.

FORM A

(vide rule 6)

APPLICATION FOR COMPENSATION BY SHAREHOLDER IN BANGLADESH

1. Name and occupation of the shareholder:
2. Father's name:
3. Present address:
4. Permanent address:
5. Nationality (whether by birth or domicile):
6. Details of shareholding:
 - (a) No. and nature of share—
 - (b) Face value of each share—
 - (c) Paid-up value of each share—
 - (d) Share certificate number(s)—
 - (e) Charge, lien, etc. if any, on shares—

Date

Signature of the applicant.

FORM B

(vide rule 6)

INDEMNITY BOND

KNOW ALL MEN BY THESE PRESENTS THAT I/WE.....
..... (name of the applicant shareholder), son of
..... having residence at.....
..... on receipt of Taka..... as compensation
payable to me/us under the Bangladesh Shilpa Bank (Payment of Compensation)
Rules, 1981, do hereby completely discharge the Bangladesh Shilpa Bank (herein-
after referred to as the Bank) from all obligations, claims, counter-claims in
this behalf and further undertake to indemnify the Bank from all consequences
which may arise from payment of compensation to me/us on the basis of
inadequate and incorrect information stated in my/our application or of wilful
suppression or withholding of material information or misrepresentation of facts
regarding my/our private assets or resources in respect of such payment of
compensation and agree to bind myself/ourselves, my/our nominees, heirs,
successors, assignees and representatives as above.

Signature of the applicant.

Witness:

- 1.
- 2.

I/We hereby agree and bind myself/ourselves to pay on demand to the Bank
the sum of Taka.....if the applicant or his nominee/representative
fails to indemnify as above.

Signature of the surety.

Witness:

- 1.
- 2.

By order of the President
JITENDRA LAL CHAKRABORTY
Deputy Secretary.

NATIONAL BOARD OF REVENUE

(Income-tax)

NOTIFICATION

Dacca, the 16th June 1981

No. S.R.O. 216-L/81.—In exercise of the powers conferred by clause (o) of sub-section (3) of section 15C of the Income-tax Act, 1922 (XI of 1922), the National Board of Revenue is pleased to make the following amendments in the National Board of Revenue Notification No. S.R.O. 92-L/80, dated the 9th April, 1980, namely:—

In the aforesaid Notification—

- (1) in item No. 21, the word “and” occurring at the end shall be *omitted*; and
- (2) in item No. 22, for the full-stop at the end the semi-colon and word “;and” shall be *substituted* and thereafter the following new item shall be *added*, namely:—

“23. Manufacture of M.S. Rod and other M.S. structurals, such as angles and channels.”

[I(1)/T-IV/80]

M.S. CHOWDHURY
Member.

MINISTRY OF EDUCATION

NOTIFICATION

Dacca, the 13th June, 1981.

No. SXV/5-30/80/165(150)-Edn.—The Government is pleased to re-designate, with immediate effect, the Bangladesh Educational Equipment Development Bureau under the Directorate of Technical Education as Bangladesh Educational Equipment Board. The Board shall be an Attached Department of the Ministry of Education.

2. The Officers and other employees, and the assets and liabilities, of the said Bangladesh Educational Equipment Development Bureau, existing immediately before the issuance of this notification, shall stand transferred to the Bangladesh Educational Equipment Board.

By order of the President
KAZI FAZLUR RAHMAN
Secretary.

OFFICE OF THE SPECIAL TRIBUNAL NO. NIL, AND ADDITIONAL
DISTRICT AND SESSIONS JUDGE, 3RD COURT, SYLHET

PROCLAMATION

Whereas it has been made to appear to me that undermentioned person is required for the purpose of trial in the Special Powers Act Case No. 97/79, Sylhet, under section 4, Explosive Substance Act, read with M.L.R. 17(C) ;

And whereas the Court has reason to believe that the said accused person is absconding to avoid appearance or arrest for the said purpose ;

Now, therefore, in exercise of the powers conferred by the section 27, sub-clause 6 of Act XIV of 1974, as amended by Ordinance XL of 1977, this Court do hereby direct to appear before the Court on the 28th day of July, 1981 at 10:00 a.m. in the Special Powers Act Case noted against him or not later than 30 days from the date of publication of this Notification, failing which he will be tried *in absentia* and his properties may be forfeited to the Government:

Particulars of the accused person.

Name and address of the accused person.	Case No.	Date.
1	2	3
Sudhir Ch. Das, son of Titu Bhuiya <i>alias</i> Ketu Bhuiya of Sanua, P. S. Maidhanagar, Dist. Sylhet.	S.P.A. 97/79, G. R. Case No. 15/76, Sunamgonj P.S. Case No. 6(8)76.	28-7-1981.

H.R. TALUKDAR

Special Tribunal No. Nil and Additional District and Sessions Judge, 3rd Court, Sylhet.

মহকুমা প্রশাসকের কার্যালয়, ব্রাহ্মণবাড়িয়া

ফরম গ

[৪২ নিয়ম দ্রষ্টব্য]

মেম্বার পদে নির্বাচিত প্রার্থীর তালিকা

জিলা—কুমিল্লা, মহকুমা—ব্রাহ্মণবাড়িয়া, থানা—বাঞ্ছারামপুর।

ইউনিয়নের নাম।	যে ওয়ার্ড হইতে নির্বাচিত সেই ওয়ার্ডের নাম ও নম্বর (মেম্বারের ক্ষেত্রে প্রযোজ্য)।	নির্বাচিত প্রার্থীর নাম, পিতার নাম ও ঠিকানা (মনোনয়নপত্রে যেরূপ আছে)।	যে পদে নির্বাচিত হইয়াছেন।	মন্তব্য।
১	২	৩	৪	৫
উজানচর (পশ্চিম)	৩ নং ওয়ার্ড	আবদুল হক, পিতা হাজী সোনা মিয়া, সাং কল্যাণপুর।	মেম্বার।	

স্থান—ব্রাহ্মণবাড়িয়া;
তারিখ—৩-৬-১৯৮১।

আ, ক, ম, হুমায়ুন কবির
রিটার্নিং অফিসার
ও
মহকুমা নির্বাচন অফিসার।

মহকুমা প্রশাসকের কার্যালয়, ঝালকাঠি

ফরম গ

[৪২ নিয়ম দ্রষ্টব্য]

মেম্বার পদে নির্বাচিত প্রার্থীর তালিকা

জিলা—বরিশাল, মহকুমা—ঝালকাঠি, থানা—রাজাপুর।

ইউনিয়নের নাম।	যে ওয়ার্ড হইতে নির্বাচিত সেই ওয়ার্ডের নাম ও নম্বর (মেম্বারের ক্ষেত্রে প্রযোজ্য)।	নির্বাচিত প্রার্থীর নাম, পিতার নাম ও ঠিকানা (মনোনয়নপত্রে যেরূপ আছে)।	যে পদে নির্বাচিত হইয়াছেন।	মন্তব্য।
১	২	৩	৪	৫
গাতুরিয়া	২ নং ওয়ার্ড	সাহেদ আলী হাং, পিতা আবদুল মজিদ হাওলাদার, সাং উত্তর তারাবুনিয়া।	মেম্বার।	

স্থান—ঝালকাঠি;
তারিখ—৩০-৫-১৯৮১।

[অস্পষ্ট]
রিটার্নিং অফিসার।