

অধ্যায়-৮

অবসর ও পেনশন



GOVERNMENT OF EAST PAKISTAN
FINANCE DEPARTMENT
(Implementation Unit)

REVISION OF PENSION RULES AND RATES

Officer on Special Duty
Services and General Administration Department
In-charge, East Pakistan Government Press, Dacca
1966

Price-25 Paisa

GOVERNMENT OF EAST PAKISTAN
FINANCE DEPARTMENT
(Implementation Unit)
MEMORANDUM

No.F/IU-12/66/93,

dated the 2nd September, 1966.

SUB.- Revision of Pension Rules and Rates- Recommendations of the Pay and Services Commission.

The undersigned is directed to say that the Government have had under consideration the recommendations of the Pay and Services Commission relating to pension. The Governor has now been pleased to take the decisions stated in the succeeding paragraphs, which shall take effect on and from the 1st July, 1966:-

2. In the case of Government servants employed in a substantive and permanent capacity in pensionable service, the amount of ordinary and special additional pensions shall be regulated as follows:-
 - 1) If a Government servant retires or is selected for discharge owing to the abolition of his permanent post, after completing qualifying service of 5 years but less than 10 years, he may be granted a gratuity not exceeding one month's emoluments for each completed year of qualifying service, subject to a maximum of Rs.12,500. If such a Government servant has completed qualifying service of 10 years or more at the time of his retirement or discharge, as the case may be, he may be granted an ordinary pension not exceeding an amount calculated in accordance with the scale given in the New Pension Table annexed to this Memorandum and subject to the conditions and maxima laid down therein. The New Pension Table shall regulate all the four kinds of pensions, namely, Compensation Pension, Invalid Pension, Superannuation Pension and Retiring Pension.
 - 2) Notwithstanding the provisions of sub-paragraph (1), an officer of the (former) Indian Civil Service, who has been 25 years in the Service and who has rendered 21 years' active service, shall, on his resignation of the service being accepted, be entitled to an ordinary pension of Rs.13,333.34 per annum.
 - 3) Government servants who have rendered service on a pay [as defined in rule 5(40) of East Bengal Service Rules, Part I] exceeding Rs.3,000 per month, may, in addition to the ordinary pension, be granted a special additional pension or pensions at the rates and subject to the maximum limits laid down in the New Pension Table.
3. A Government servant in pensionable service, who is not employed in a substantive and permanent capacity, may be granted an ordinary pension or gratuity, as the case may be, in accordance with the provisions of paragraph 2 (1), if he retires from service, or if he is discharged after completing qualifying service of 25 years or more, owing to the abolition of his post or replacement by a 'qualified' candidate. If such a Government servant is discharged after completing 10 years but less than 25 years' qualifying service, he may be granted a gratuity not exceeding one month's emoluments for each completed year of qualifying service, subject to a maximum of Rs.25,000.
4. Subject to the provisions of paragraph 2 (1), as regards the scale and amount of gratuity admissible for a qualifying service of 5 years but less than 10 years, the existing provisions of the Pension-cum-Gratuity Scheme, 1954, introduced under this Department Memo. No. 3568-F. dated the 12th June, 1954, as amended and amplified from time to time, shall remain in force and apply, until altered, repealed or amended, to all Government servants whose pension is regulated by these orders.

Amount of pension for permanent Government servants:

Amount of pension for temporary Government servants:

Pension-cum-Gratuity scheme:

5. Subject to the provision of the Essential Services Maintenance Act, all Government servants shall have the right to retire on a Retiring Pension after completing 25 years' qualifying service; provided that a Government servant, who intends to retire before attaining the age of superannuation, shall, at least three months before the date on which he intends to retire, submit a written intimation to the authority which appointed him, indicating the date on which he intends to retire. Such an intimation, once submitted, shall be final and shall not be allowed to be modified or withdrawn. Retiring Pension:
6. For the purpose of grant of pension (including Special Additional Pension) under these orders, the emoluments or pay drawn and the effective service rendered by a Government servant in an autonomous or semi-autonomous body, the authorised capital of which is wholly subscribed by the Central and/or a Provincial Government, in a post-appointment to which is, by law, required to be made, and the salary of which is required to be fixed, by the Central Government or by a Provincial Government shall be treated as the emoluments or pay drawn and effective service rendered, in a post in Government service. Service in an autonomous or semi-autonomous body:
7. For the purpose of grant of ordinary pension under these orders: Qualifying service and Emoluments:
- 1) Service rendered by a Government servant before attaining the age of 20 years shall not be treated as service qualifying for pension;
 - 2) a deficiency of six months or less in the qualifying service of a Government servant shall be deemed to have been condoned;
 - 3) a deficiency of more than six months but less than a year, may be condoned by the competent authority if both the conditions mentioned below were satisfied:-
 - a) if the Government servant dies while in service or retires under circumstances beyond his control, such as on invalidation or abolition of his post, and, but for such contingency, he would have completed another year of qualifying service; and
 - b) the service rendered by the Government servant was meritorious;
 - 4) a deficiency of one full year or more shall not be condoned; and
 - 5) the term 'Emoluments', shall mean the emoluments which the Government servant was receiving immediately before his retirement and shall include-
 - a) Pay as defined in rule 5(40) of East Bengal Service Rules, Part I;
 - b) Special pay granted in terms of rule 5(48) of East Bengal Service Rules, Part I;
 - c) Technical Pay;
 - d) Personal Pay; and
 - e) Any other emoluments which may specifically be declared as emoluments reckoning for pension.
8. 1) Government servants who were in pensionable service on the 1st July, 1966, shall be allowed the option to retain their existing pensionary benefits. This option should be exercised in writing and communicated, in the case of gazetted Officers, to the Accounts Officer, and, in the case of non-gazetted Government servants, to the Head of Office, concerned, so as to reach him within six months from the date of issue of this Memorandum. If, on that date, a Government servant is on leave or temporary deputation outside Pakistan, he may exercise his option and communicate it within six months from the date of his return from leave or deputation abroad. Option for Government servants in pensionable service:
- 2) An option exercised by a Government servant under sub-paragraph (1), shall be duly acknowledged by the Accounts Officer or, as the case may be, the Head of Office, concerned, and placed on the Service record of the Government servant.

- 3) An option, once exercised and communicated to the Accounts Officer Or the Head of Office, shall be final.
- 4) A Government servant who does not exercise and communicate his option within the time-limit prescribed in sub- paragraph (1) shall be deemed to have accepted the new pensionary benefit sanctioned in this Memorandum.
9. 1) Government servants who were in non-pensionable service on the 1st July, 1966, excluding those employed on contract or otherwise for a specified period or term which did not extend to the age of superannuation, and who were entitled to the benefits of a Contributory Provident Fund, shall, unless the amount of the Contributory Provident Fund has been paid, be allowed to opt for the pensionary benefits sanctioned in this Memorandum, in lieu of the existing retirement benefits admissible to them. This option shall be exercised and communicated in the manner, subject to the conditions and within the time-limits, prescribed in sub-paragraphs (1)-(3) of paragraph 8. Those Government servants who do not exercise and communicate their options for the pensionary benefits sanctioned in this Memorandum within the prescribed time-limits, shall not be entitled to the benefits thereof and shall continue on their existing terms. Option from Government servants entitled to Contributory Provident Fund:
- 2) In the case of those who opt for the pensionary benefits sanctioned in this Memorandum, the amount of the employees' contributions to the Contributory Provident Fund shall be deemed to have been subscribed to the General Provident Fund and shall, for all purposes, be governed by the rules of that Fund. The service rendered by such Government servants from the date of joining the Contributory Provident Fund, or the date of attaining the age of 20 years, whichever is later, shall, subject to the rules for reckoning qualifying service for pension, count for such service.
10. Government servants who retired on or after the 1st December, 1962, but before the 1st July, 1966, shall for the period from the 1st April, 1964 to the 30th June, 1966, be granted the same increase in service pension as was granted to those Government servants who retired before the 1st December, 1962, in accordance with this Department's Memo. No. F/IU- 11/64/107, dated the 1st June, 1964, as amended from time to time. In the case of those Government servants who have died after the 1st December, 1962, but before the 1st July, 1966, and to whom the Pension-cum-Gratuity Scheme, 1954, was applicable, the family pension for the period from the 1st April, 1964, to the 30th June, 1966, shall be re-fixed after taking into account the pension increase sanctioned in this paragraph. Grant of increase in service pensions:
11. 1) The pension of Government servants who retired before the 1st July, 1966, including family pensions, in course of payment on that date shall, on receipt of application from the pensioner, in accordance with the procedure laid down in the Press Note dated the 29th August, 1966, already issued by the Accountant-General, East Pakistan (copy attached) for Central Civilian Pensioners, be revised with effect from the 1st July, 1966, according to these orders; provided that, if the existing pension plus the increase in service pension admissible before that date is more than the pension as calculated under these orders, the existing pension plus increase thereon shall continue to be paid. For the purpose of revising the pension under these orders, it shall not be necessary to obtain a revised sanction from the pension sanctioning authority, except in a case where a pension was reduced in terms of rule 246 or rule 348 of the East Bengal Service Rules, Part 1. Revision of existing pensions:
- 2) In the case of existing pensioners, who have already drawn a lump-sum gratuity under the Pension-cum-Gratuity Scheme, 1954, or have received the commuted value of a portion of their pension before the 1st July, 1966, the increase in the gross pension accruing under these orders shall be paid in the shape of monthly pension and no portion of that increase shall be allowed to be commuted or converted into gratuity.

12. All pensions payable under these orders, including the increase in service pension sanctioned in paragraph 10, shall, when payable in Sterling, be converted into Sterling at the official rate of exchange for the time being in force. Rate of exchange for payment in starting
13. The pensionary benefits sanctioned in this Memorandum shall not be admissible to pensioners residing in India Or to those Pakistani pensioners who have received or are entitled to receive increases under the British Acts. Non-admissibility of pension benefits in certain cases:
14. In any matter in respect of which no provision has been made in these orders, the existing provisions of the rules and orders regulating grant of pension shall continue to apply until altered, repealed or amended; provided that for the purpose of the grant of Special Additional Pension under these orders, the provisions of clauses (1) and (7) of rule 354 of the East Bengal Service Rules, Part I, shall not apply. Application of existing rules and orders:
15. Necessary amendments to the rules shall be made in due course.

K. MAHMOOD,
Secretary to the Government of
East Pakistan,
Finance Department.

No. F/IU.12/66/93(125)

Copy forwarded to-----, for information and necessary action.

Dated,
DACCA,
The 2nd September, 1966.

Distribution:

Accountant-General, East Pakistan. All
Departments (Section wise).
All Directorates.
District Offices.

S. G. MUSTAPA,
Section Officer.

Annexure of the Finance Department

Memorandum No. F/IU-12/66/93, dated the 2nd September, 1966.

NEW PENSION I- ordinary pension: TABLE

Completed years of qualifying service. (1)	Scale of pension expressed as fractions of average emoluments. (2)	Maximum limit of pension per month (3)
10	10/50	250
11	11/50	275
12	12/50	300
13	13/50	325
14	14/50	350
15	15/50	375
16	16/50	430
17	17/50	485
18	18/50	540
19	19/50	595
20	20/50	650
21	21/50	695
22	22/50	740
23	23/50	785
24	24/50	830
25	25/50	875
26	26/50	900
27	27/50	925
28	28/50	950
29	29/50	975
30 and above	30/50	1,000

Note—Any amount in excess of Rs. 600 per month calculated in accordance with the scale shown in column (2) of this Table shall be reduced by 50 per cent. and the maximum limits shown in column (3) shall be applied thereafter.

II-Special Additional Pension:

- 1) **Special Additional Pension Grade III**-Rs.25 per month for each completed year of effective service on a pay exceeding Rs. 3,000 per month but not exceeding Rs.3,250 per month, subject to a maximum of Rs.125 per month.
- 2) **Special Additional Pension Grade II**-Rs.45 per month for each completed year of effective service on a pay exceeding Rs.3,250 per month but not exceeding Rs.3,500 per month, subject to a maximum of Rs.225 per month.
- 3) **Special Additional Pension Grade I**-Rs.70 per month for each completed year of effective service on a pay exceeding Rs.3,500 per month, subject to a maximum of Rs.350 per month.

Note-The combined maximum of Special Additional Pensions Grade HI and Grade 11 shall be Rs. 225 per month and the combined maximum of Special Additional Pensions of all the three Grades shall be Rs. 350 per month.

PRESS NOTE

REVISED PENSION RULES

Data for Recalculation Invited By Accountant-General,

The Government of Pakistan have decided to revise the pension rules in respect of the civilian Central Government servants with effect from July 1, 1966. The new pension rules would apply to those Central Government servants also who have retired before July 1, 1966. These would comprise—

- i) Pensioners who are drawing pension exceeding Rs.500 per month (gross) (no ad hoc increase was granted to them).
- ii) Government servants who retired before December 1, 1962, and were drawing pensions not exceeding Rs.500 per month (gross) and were granted an ad hoc increase in pension with effect from 1st April 1964.
- iii) Government servants who retired on or after December 1, 1962 before July 1, 1966 and were drawing pensions not exceeding Rs.500 per month (gross) but were not granted an ad hoc increase in pension.

The pension of the Government servants in category (i) above would be recalculated with effect from July 1, 1966, on the basis of the new pension rules.

In the case of Government servants falling in category (ii) above, pensions of the existing pensioners will be recalculated with effect from the 1st July 1966 on the basis of the new pension rules. In cases where the pensions as fixed is less than the existing pension plus ad hoc increase, the existing pension plus ad hoc increase will continue to be paid to the pensioners.

In the case of category (iii) above, the pensioners will in respect of the period from April 1, 1964 to June 30, 1966 be granted the same ad hoc increase as was allowed to pre-December, 1962 pensioners. With effect from July 1, 1966, their pension will also be recalculated in accordance with new pension rules and in cases where the pension as re-fixed is less than the existing pension plus ad hoc increase, the existing pension plus ad hoc increase will continue to be paid to the pensioners.

All Civilian pensioners of the Central Government relating to the East Pakistan Circle have been requested to furnish the following information to the office of the Accountant-General, East Pakistan, Dacca, to enable that office to recalculate the pensions:

- 1) Name of applicant (in Block letters)
- 2) Father's name (in Block letters)
- 3) Date of birth of the applicant
- 4) Post held on the date of retirement.
- 5) Name of the Department/Office from which retired.
- 6) Date of-
 - a) Commencement of service
 - b) Retirement
- 7) Length of continuous service, excluding periods of re-employment after retirement
- 8) Broken periods of qualifying service, allowed to count for pension
- 9) Deficiencies in Service condoned, if any,
- 10) Periods of War Service, if any
- 11) Period of leave without pay taken during the entire services, if any,
- 12) Periods of suspension, if any
- 13) Pension Payment Order No. on which pension is being drawn

- 14) Amount of-
 - a) Monthly pension being drawn
 - b) Gratuity
 - c) Ad hoc increase (if drawn)
- 15) Amount commuted, if any and
- 16) Name of the Treasury/ Post Office from which pension is being drawn

The application forms will be available on payment of ten paisa per copy from all Post Offices, Treasuries, Sub-Treasuries and at the Counter of the Office of the Accountant-General, East Pakistan, Dacca.

The application forms duly filled in, may be sent either by registered post or handed over personally during office hours, on any working day, in the Office of the Accountant-General, East Pakistan, Dacca. A special counter has been opened in the Office of the Accountant-General, East Pakistan, Dacca.

GOVERNMENT OF EAST PAKISTAN
FINANCE DEPARTMENT Implementation Unit.
MEMORANDUM

No. F/IU-12/66/94,

dated the 2nd September, 1966.

SUB.- Civil Pensions (Commutation) Rules.

The undersigned is directed to say that on the recommendation of the Pay and Services Commission, the Government have reconsidered the existing Tables of the present values prescribed under rule 4 of the Civil Pensions (Commutation) Rules, framed under Notification No. 7730-FB, dated the 7th September, 1959 and the Governor has been pleased to decide that with effect from the 1st July, 1966, and until further orders, the lumpsum payable on commutation under those rules, shall, irrespective of whether the domicile of an officer is Asiatic or non-Asiatic, be calculated in accordance with the Commutation Table annexed to this Memorandum.

K. MAHMOOD,
Secretary to the Government of
East Pakistan,
Finance Department.

No. F /1 U-12/66/94 (125)

Copy forwarded to -----

-----for information and necessary action.

Dated,

DACCA,

The 2nd September, 1966.

Distribution:

Accountant-General, East Pakistan.
All Departments (Section wise).
All Directorates.
District Offices.

S. G. MUSTAPA,
Section Officer.

Annexure of the Finance Department

Memorandum No. F/IU-12/66/94, dated the 2nd September, 1966.

COMMUTATION TABLE

Age next birthday.	Number of years purchase.	Age next birthday	Number of Years' purchase.
20	24.265	50	15.859
21	24.061	51	15.481
22	23.853	52	15.096
23	23.640	53	14.107
24	23.424	54	14.313
25	23.203	55	13.915
26	22.978	56	13.513
27	22.747	57	13.109
28	22.513	58	12.702
29	22.273	59	12.294
30	22.028	60	11.886
31	21.777	61	11.497
32	21.522	62	11.104
33	21.260	63	10.713
34	20.993	64	10.327
35	20.720	65	9.946
36	20.242	66	9.570
37	20.157	67	9.200
38	19.867	68	8.836
39	19.570	69	8.478
40	19.276	70	8.127
41	18.956	71	7.783
42	18.541	72	7.448
43	18.318	73	7.121
44	17.988	74	6.802
45	17.650	75	6.494
46	17.307	76	6.194
47	16.956	77	5.906
48	16.596	78	5.627
49	16.231	79	5.360
		80	5.104

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF FINANCE

(Regulation Wing—i)

COMPASSIONATE GRATUITY FUND

For official use only

Special Officer,

Bangladesh Government Press, Dacca

1974.

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF
BANGLADESH
MINISTRY OF FINANCE
(Regulation Wing)

Memo. No. MF/R-1/4P-3/74/183

dated Dacca, the 21st August 1974.

SUBJECT: Compassionate Gratuity Fund.

In supersession of all orders issued on the subject, Government have been pleased to decide that grant from the Compassionate Gratuity Fund shall henceforth be regulated as stated below:

1. The Compassionate Gratuity Fund is intended for the relief of Government servants or families of deceased Government servants whose salary is paid monthly, irrespective of whether the rates of pay are fixed on a daily or a monthly basis, if they are left in indigent circumstances due to the Government servant's being incapacitated for further service in consequence of a wound, injury or disability or due to premature death of the Government servant upon whom the family depended for support. The establishment of the fund in no way involves any relaxation of the fundamental principle that it is the duty of every Government servant to provide for his family. But hard cases will sometimes occur and the object of the fund is to give temporary assistance to families which are in exceptionally distressed circumstances. It is formed by an annual grant of an amount determined from time to time by this Ministry according to necessity, provision for which is made under the head '55—Superannuation Allowances and Pensions—Gratuities—Compassionate Gratuity (Com.. passionate Fund)'.
 2.
 - 1) No application for a grant from this fund will be considered—
 - a) if the Government servant is entitled to any pension or gratuity under the ordinary pension rules,
 - b) if the Government servant was a subscriber to the Contributory Provident Fund,
 - c) if family pension/gratuity is admissible under the pension cum Scheme, 1954,
 - d) if the Government servant was covered by Group Insurance and was a subscriber to the Benevolent Fund, and
 - e) if the Government servant or the family is awarded an Invalid, Wound or any other Extraordinary pension or gratuity or any compensation payable under the Work men's Compensation Act.
 - 2) No application will be considered which is not submitted to the Head of the Office concerned within one year of the date of incapacity or death of the Government servant, unless the delay in submission is sufficiently explained. An application for a grant on the ground of being incapacitated for wound, injury or disability must be supported by a certificate from a civil surgeon or a Government Medical Officer of equal status to the effect that the wound, injury or disability is severe and has incapacitated the Government servant for further service. The Compassionate Gratuity Fund committee may ask for a report of a Medical Board in a case, if considered necessary. In a case of wound or injury, the application must also be accompanied by a detailed report from the head of the office explaining the circumstances in which the Government servant received the wound or injury which rendered him invalid and incapacitated for further service. The particulars to be furnished by the applicants are indicated in the Appendices attached hereto.
 3. The conditions which regulate a grant from the fund are:
 - i) Grants from the fund are restricted to cases of an exceptional character.
 - ii) The Government servant must have rendered satisfactory service.
 - iii) Meritorious service rendered by the Government servant gives special claim for consideration; and death or injury due to special devotion to duty establishes a stronger claim for consideration.
 - iv) In other cases, regard should be had to the urgency of the necessity for relief and to the extent of distress in the destitute family.
 - v) Other things being equal, preference should be given to those who have been on low rates of pay.
 - vi) As a general rule, a grant should not be given if the salary of the Government servant exceeded Taka 500 a month.
 - vii) Assistance should seldom be given to Gazetted Officers or their families except so far as it may be necessary to assist them to obtain a passage home.

4. 1) No pension is granted from the fund, but in some cases yearly grants may be made for a limited period to defray the expenses of the education of children.
- 2) The maximum gratuity payable in any individual case is Taka 2,500. The precise amount in all cases is fixed according to the number in the family and necessities of the case, the equivalent of a year's pay of the deceased being considered a suitable maximum in cases in which the circumstances are such as to require liberal treatment, but in most ordinary cases six months' pay is regarded as sufficient.
5. Applications for assistance from the fund will be submitted direct to the Ministry of Finance by the Commissioners of Division or the Head of the office under whom the officer was employed. Applications which are not recommended should not be forwarded.
6. The fund will be administered by a Committee constituted as follows: —
 - 1) Joint Secretary, Ministry of Finance (E.C. & A. Division)— Chairman.
 - 2) Deputy Secretary (Regulation), Ministry of Finance Member.
 - 3) A Deputy Secretary of the Establishment Division— Member.
 - 4) Section Officer (Regulation I), Ministry of Finance— Secretary.
7. On receipt of an application in the Ministry of Finance the fact will be summarised and put up to the Committee without comment. The Committee's decision will be communicated by the Ministry of Finance direct to the authority submitting the application, and to the Accountant Bangladesh.
8. Meetings of the Compassionate Gratuity Fund Committee will usually be held quarterly in the second week of the last month of each quarter.

APPENDIX I

The following particulars Should be furnished in each case of recommendation for the grant of an award from the Compassionate Fund:-

- 1) Name of the Government servant, last appointment held, age, last pay drawn and the date of invalidation or death.
- 2) Total service (whether pensionable or non pensionable)
- 3) Dependents (with their respective ages) and their pecuniary circumstances. Whether there are any relatives in a position to give help and how the family is being maintained at present.
- 4) Landed property and other movable or immovable property, if any and the annual income therefrom.
- 5) Remarks of the head of the Ministry, Departments or Office on Government servants work.
- 6) Was death or invalidation to, or accelerated by, devotion to duty? A detailed report as to the circumstances in which disability wound or injury was received is to be attached together with a medical certificate in terms of Rule 2(iii).
- 7) Debts of the Government servant, if any.
- 8) Recommendation of the Head of the Ministry, Department or Office regarding the amount of grant.
- 9) Whether the family is entitled to family pension/gratuity under the Pension-cum-Gratuity Scheme, 1954, whether the deceased was covered by the Group Insurance and Benevolent Fund Schemes and whether any wound, injury or any other extraordinary pension/ gratuity or a compensation under Workmen's Compensation Act has been or going to be awarded to the Government servant or to his family.
- 10) If the deceased was a subscriber to the Government Provident Fund and/or was insured, the amount of his deposits in the fund and/or the amount for which he was insured should be mentioned. If he was neither a subscriber to the fund nor insured, the fact should be stated.

APPENDIX II

Application for a grant from the Compassionate Fund should be accompanied by a descriptive roll (on separate sheet and in duplicate attested by two or more persons of responsibility in the town or village in which the applicant resides) of the applicant for the award in addition to the particulars prescribed in the Appendix. These rolls should contain the following information:

- 1) Height
- 2) Age
- 3) Colour
- 4) Personal marks, if any on the hand, face, etc.
- 5) Signature or left-hand thumb and finger-impressions

Small finger	Ring finger	Midle finger	Index finger	Thumb
()	()	()	()	()

The descriptive rolls may be obtained from the applicant direct or from the Collector at the time when the latter is asked to report on the pecuniary circumstances of the family.

6. Name of the Treasury at which payment is desired.

M. A. BASIR
Joint Secretary to the Government
of Bangladesh.

Memo. No. MF/R-1/4P-3/74/183/1(300),

dated the 21st August 1974.

Copy forwarded to all Ministries (Divisionwise) Departments, Directorates, Divisional Commissioners, and Deputy Commissioners for information.

A. A. MAZUMDAR,
Section Officer,
Government of Bangladesh.

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
রাষ্ট্রপতির সচিবালয়
সংস্থাপন বিভাগ
বিধি শাখা-৪

স্মারক লিপি নং-সগবিঃ(বিধি-৪)১আর-৯/৭৫-৭-১৪০

তারিখ: ২০শে জুন, ১৯৭৫

১৯৭৪ সালের সরকারি কর্মচারী (অবসর গ্রহণ) আইন (১৯৭৪ সালের ১২ নং আইন) এর ৯ ধারার (২) উপ-ধারার বিধান মতে কোন সরকারি কর্মচারীর চাকুরী পঁচিশ বৎসর পূর্ণ হইলে, সরকার তাঁহাকে যে কোন সময়ে কোন কারণ না দর্শাইয়া চাকুরী হইতে অবসর গ্রহণ করাইতে পারেন।

এখন প্রশ্ন উঠিয়াছে যে সরকার ব্যতীত অন্য কোন অধস্তন নিয়োগকারী কর্তৃপক্ষ কোন সরকারি কর্মচারীর পঁচিশ বৎসর চাকুরী পূর্ণ হইলে তাঁহাকে উক্ত ক্ষমতাবলে অবসর গ্রহণ করাইতে পারেন কিনা।

সংশ্লিষ্ট সকলের অবগতির জন্য জানানো যাইতেছে যে উক্ত ৯ ধারার (২) উপ-ধারা প্রদত্ত ক্ষমতা সরকার ব্যতীত অন্য কোন নিয়োগকারী কর্তৃপক্ষই প্রয়োগ করিতে পারিবেন না।

যদি কোন অধস্তন নিয়োগকারী কর্তৃপক্ষ কোন সংগত কারণে মনে করেন যে উক্ত কর্তৃপক্ষ কর্তৃক নিযুক্ত কোন কর্মচারী পঁচিশ বৎসর চাকুরী পূর্ণ হইবার পর তাঁহাকে অবসর গ্রহণ করানো উচিত, তাহা হইলে সেই কর্তৃপক্ষ সরকারের সংশ্লিষ্ট মন্ত্রণালয়ে সেই মর্মে প্রস্তাব করিবেন এবং সরকার সেই প্রস্তাব মন্ত্রী পর্যায়ে বিবেচনা করিয়া প্রয়োজনীয় সিদ্ধান্ত গ্রহণ করিবেন।

উক্ত ৯ ধারার (২) উপ-ধারার ক্ষমতাবলে অবসর গ্রহণ করানোর আদেশ সংশ্লিষ্ট মন্ত্রী মহোদয়ের অনুমোদন হইয়া ন্যূনপক্ষে যুগ্ম-সচিবের পদমর্যাদা সম্পন্ন একজন অফিসারের স্বাক্ষরে জারি করিতে হইবে।

গেজেটেড কর্মচারীগণকে অবসর গ্রহণ করানোর বিষয় সংস্থাপন বিভাগের মারফতে মহামান্য রাষ্ট্রপতির নিকট তাঁহার সদয় আদেশের জন্য পেশ করিতে হইবে। অন্যান্য কর্মচারীদিগকে অবসর গ্রহণ করানো হইলে সেই তথ্য মহামান্য রাষ্ট্রপতির অবগতির জন্য পেশ করিতে হইবে।

উপরোক্ত সিদ্ধান্ত সমস্ত মন্ত্রণালয়/ বিভাগের অধীন সরকারি, আধা-সরকারি এবং সমস্ত রাষ্ট্রায়ত্ত নিয়োগকারী কর্তৃপক্ষের গোচরীভূত করবার জন্য অনুরোধ করা যাইতেছে।

মাহবুবুর রহমান
সচিব
সংস্থাপন বিভাগ।

GOVERNMENT OF THE PEOPLES'S REPUBLIC OF BANGLADESH

CABNET SECRETARIAT

ESTABLISHMENT DIVISION

Regulation Wing

Section IV

NOTIFICATION

Dacca, the 30th December, 1975.

No. ED (R-IV)-1R-1/75-228.—In exercise of the powers conferred by section 11 of the Public Servants (Retirement) Act. 1974 (Act. No. XII of 1974). the Government is pleased to make the following rules, namely:—

1. These rules may be called the Public Servants (Retirement) Rules, 1975.
2. In this rules, unless there is anything repugnant in the subject or context, 'section' means a section of the Public Servants (Retirement) Act. 1974 (Act No. XII of 1974).
3. 1) A proposal for extension of service under the proviso to section 4 beyond fifty-seven years of age of a public servant who is a physician or a teacher shall be submitted by the authority concerned at least three months before the date on which such public servant is due to complete the fifty-seventh year of his age,—
 - a) in the case of a public servant who is a physician or a teacher in a medical college or a similar affiliated institution or being a physician is engaged in the family planning activities under the Government, to the Government in the Ministry of Health, Population Control and family Planning or to the authority authorized by the Government in this behalf; and
 - b) in the case of a public servant who was initially appointed in a teaching job or in a job interchangeable therewith, to the Government in the Ministry of Education, Scientific and Technological Research and Atomic Energy or to the authority authorized by the Government in this behalf.
- 2) The Government or the authority authorized by the Government in this behalf may extend beyond the age of fifty-seven the service of a public servant who is physically and otherwise fit for the extension.—
 - a) in the case of person referred or in clause (a) of sub-rule (1), if it is satisfied that such public servant has put in at least 18 years of service in the preventive or curative branches of diseases or health services or in the family planning activities under the Government or in all or any two of them; and
 - b) in the case of persons referred to in clause (b) of sub-rule (1), if it is satisfied that such public servant has put in 18 years of service in a teaching job in an educational institution affiliated with any Education Board or University established by or under any law for the time being in force, or in a job interchangeable with a teaching job, or in both.
4. The authority concerned shall, prior to submitting a proposal under rule 3, take the following factors into consideration, namely:—
 - a) the physical and mental fitness, and the conduct, integrity, efficiency, reputation and morality of the public servant concerned; and
 - b) whether his extension will be in the public interest.
5. The order of granting extension in service or otherwise shall ordinarily be communicated to the public servant concerned at least one month before he attains the age of fifty-seven years.
6. 1) A public servant on extension of service shall be entitled to count the period of extension for the purpose of his pension and shall also be entitled to such leave, including leave preparatory to retirement, increments and other facilities as were admissible to him during his regular employment, subject to the condition that the leave preparatory to retirement shall not extend beyond the sixtieth year of his age.

- 2) Except in the case of a public servant on extension of service, the leave preparatory to retirement to which a public servant may be entitled shall not extend beyond the completion of the fifty-eight year of his age.
7. The service of a public servant who is granted extension beyond the fifty-seventh year or his age may be terminated at any time by one month's notice given either by the Government or the authority granting the extension or by such public servant or in lieu of such notice on payment by the party giving the notice of an amount equivalent to one month's salary of the public servant.
8.
 - 1) Every Proposal for employment by the President under sub-section (3) of section 5 of a public servant after his retirement shall be made and processed through the Establishment Division.
 - 2) The terms and conditions of such employment shall be determined in consultation with the Establishment Division, the Ministry of Finance and the Ministry of Law, Parliamentary affairs and Justice unless the President directly makes any order in this behalf.
 - 3) Subject to the terms and conditions determined under sub-rule (2), a public servant on such employment shall be treated as a temporary public servant and shall be entitled to such leave as is admissible to a temporary public servant under the relevant rules.
9. Where a public servant who opts to retire from service under sub-section (1) of section 9 of the public Servants (Retirement) Act, 1974 intends to proceed on leave preparatory to retirement, he shall, subject to admissibility, be entitled to such leave if his Application for retirement.—
 - a) is made at least thirty day's prior to the date on which he intends to proceed on such leave;
 - b) specifies the period for which he intends to so proceed;
 - c) specifies the period for which the leave is sought; and
 - d) is accompanied by a report from the Accountant-General of the admissibility of such leave.
10. The Bangladesh Public Servants (Retirement) Rules, 1973, are hereby repealed.

By order of the President

M. KERAMAT ALI
Secretary,
Establishment Division.

No-MF(Reg-I)3P-28/82/106/500

Dated: 25-11-1986

Couy forwarded for information and necessary action to:-----

A.K.M. Rashid Uddin
Deputy Secretary.

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13. Director-General, Anti-Corruption.
14. Director-General, National Security Intelligence, Dacca.
15. Director, Bangladesh Rifles.
16. Inspector-General of Police, Bangladesh.

17. Inspector-General of Prisons.
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21. Secretary, Bangladesh Election Commission.
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24. Comptroller and Auditor General, Bangladesh, Dhaka.

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF FINANCE

Rules Unification-2

No. MF/RU-2(13)/76/25,

Dated, 2nd March, 1977.

SUBJECT: Optional retirement under section 9 of Act No. XII of 1974.

Clarification has been sought as to whether the term 'completed twenty-five years of service' as used in section 9 of the Public Servants (Retirement) Act, 1974 (Act No. XII of 1974) means completed twenty-five years of qualifying service or completed twenty-five years of gross service. After consultation with the Ministry of Law it is clarified for general information that with the enactment of the said Act, a public servant subject to conditions laid down therein, may opt to retire or the Government may retire him from the service at any time after he has completed twenty-five years of gross service and he would get Retiring Pension on the basis of the length of the completed years of his qualifying service under the provisions of the existing Service Rules as stand amended by the provisions of section 9 of Act No. XII of 1974.

S. G. MUSTAFA
Deputy Secretary.

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
অর্থ মন্ত্রণালয়, অর্থ বিভাগ
প্রবিধি অনিবিভাগ
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নং-০৭.০০.০০০০.১৭১.১৩.০৩৭.১১- ১২২

তারিখ: ১৮-১২-২০১১ খ্রিষ্টাব্দ

০৪-০৯-১৪১৩ বঙ্গাব্দ

বিষয়: The Public Servants (Retirement) Act, 1974 সংশোধন প্রসংগে।

সূত্র: জনপ্রশাসন মন্ত্রণালয়ের স্মারক নং- ০৫.০০.০০০০.১৭৩.২২.০০৫.১১- ৩৫৩, তারিখ: ১৪- ১২- ২০১১
খ্রিঃ।

উপর্যুক্ত বিষয় ও সূত্রের বরাতে The Public Servants (Retirement) Act, 1974 (Act No. XII of 1974) এর Section 4 সংশোধন করে গণকর্মচারীদের অবসর গ্রহণের বয়সসীমা ৫৭ (সাতাল্ল) বৎসর এর পরিবর্তে ৫৯ (উনষাট) বৎসর করার প্রস্তাবে নির্দেশক্রমে অর্থ বিভাগের সম্মতি জ্ঞাপন করা হ'ল।

এ. এফ. আমিন চৌধুরী
উপ- সচিব (প্রবিধি- ১)
ফোন নং: ৭১৬৭৯০৩

সচিব
জনপ্রশাসন মন্ত্রণালয়
বাংলাদেশ সচিবালয়, ঢাকা।