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রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

শনিবার, জানুয়ারি ২৮, ২০১২

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

আইন, বিচার ও সংসদ বিষয়ক মন্ত্রণালয়

লেজিসলেটিভ ও সংসদ বিষয়ক বিভাগ

প্রজ্ঞাপন

তারিখ, ১৬ জানুয়ারি ২০১২ ইং

নং ০২(আঃম)(লেঃস)(মুঃপ্রঃ)-আইন-অনুবাদ-২০১২—সরকারি কার্যবিধিমালা, ১৯৯৬-এর প্রথম তফসিল (বিভিন্ন মন্ত্রণালয় এবং বিভাগের মধ্যে কার্যবন্টন) এর আইটেম ৩০-এর ক্রমিক ৭ ও ১০ এবং মন্ত্রিপরিষদ বিভাগের বিগত ৩-৭-২০০০ইং তারিখের সভায় গৃহীত সিদ্ধান্ত বাস্তবায়নের নিমিত্ত বাংলাদেশ জুডিসিয়াল সার্ভিস সংক্রান্ত বিধিমালাসমূহ (এস, আর, ও নং-৮) নিম্নরূপ ইংরেজী অনুবাদ সর্বসাধারণের জ্ঞাতার্থে প্রকাশ করিল।

মোঃ আনোয়ার হোসেন
সিনিয়র সহকারী সচিব।

(৫৩৭)

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

NOTIFICATION

Dated, January 16, 2007AD/Magh 03, 1413BE

ইস্যু নং-০২

S.R.O.No.-8-Law/2007-FM/FD(EST-1)/Miscellaneous-3/2006.—

Whereas the President is empowered to make separate rules for the officials exercising judicial functions in the office of judicial service by article 115 of the Constitution; and

Whereas there is a direction to establish a separate Pay-Commission regarding the salary, allowance and such other privileges for the members of the Judicial Service of Bangladesh in the judgment of Civil Appeal No. 79/1999 passed by the Appellate Division of the Bangladesh Supreme Court;

Therefore, in pursuance of the direction given by the Supreme Court, the President, in exercise of all powers conferred to him in this behalf by article 115 of the Constitution, is pleased to make the following rules for establishing a separate Pay-Commission :—

1. Short title.—These rules may be called the Bangladesh Judicial Service (Pay Commission) Rules, 2007.

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

- (a) “Chairman” means the Chairman of the Pay-Commission;
- (b) “Pay-Commission” means the Pay-Commission established under rule 3;
- (c) “Member” also includes the Chairman of the Pay-Commission; and
- (d) “Service” means the Bangladesh Judicial Service.

3. Establishment of the Pay-Commission, its formation and functions.—(1) There shall be a commission to be called the Bangladesh Judicial Service Pay-Commission to determine the salary, allowance and other privileges of the members of the Bangladesh Judicial Service and to make recommendations thereof.

(2) The Pay-Commission shall consist of the following members, namely :—

- (a) a judge of the Appellate Division of the Supreme Court to be nominated by the President in consultation with the Chief Justice, who shall also be its Chairman;
- (b) a judge of the High Court Division of the Supreme Court to be nominated by the President in consultation with the Chief Justice, who shall be its member;
- (c) a member of the Law Commission to be nominated by the President;
- (d) the Comptroller and Auditor-General of Bangladesh, ex-officio;
- (e) Secretary, Finance Division, Ministry of Finance, ex-officio;
- (f) Secretary, Ministry of Establishment, ex-officio;
- (g) Secretary, Ministry of Law, Justice and Parliamentary Affairs, ex-officio;
- (h) Registrar, Bangladesh Supreme Court, ex-officio; and
- (i) an officer of district judge level working in Dhaka to be nominated by the Chief Justice.

(3) In absence of the Chairman, the members mentioned from clause (b) to (i) of sub-rule (2) shall, in succession, preside over the meeting.

(4) The functions of the Pay-Commission established under sub-rule (1) shall be as follows :—

- (a) to analyze the ancillary matters and circumstances for determining the salary, allowance and other privileges of the persons holding the posts of judicial service and make recommendation thereon;
- (b) to analyze other ancillary matters conferred in this behalf by the Government and make recommendation thereon.

(5) Any vacancy in the Pay-Commission shall not affect the validity of any of its proceedings.

4. Meetings of the Pay-Commission.—(1) The Pay-Commission may, subject to other provisions of this rule, determine the procedures of its meeting :

Provided that the meeting of the Pay-Commission shall be held at least two times in every calendar year at such time and place as may be determined by the Chairman.

(2) The meeting of the Commission shall be held at such time and place as may be determined by the Chairman.

(3) The Pay-Commission shall, at every five years, revise the salary, allowance and other privileges of the members of the Service keeping consistent with allover socio-economic conditions of the country and pay-scale of the Service, make recommendation thereon and submit it to the Government :

Provided that if the Government calls for or any new national pay scale is declared for the government officers and employees, the Pay-Commission may, at any time about any matter, submit an interim recommendation to the Government.

(4) At least five members shall be required to form the quorum of a meeting of the Pay-Commission and no quorum shall be required for any adjourned meeting.

(5) All decisions of the Pay-Commission shall be taken on the basis of the opinion of the majority of the members present and in case of equality of opinion, the person presiding over the meeting shall have the power to pass the casting decision.

(6) The Finance Division of the Ministry of Finance shall provide the Pay-Commission with the secretarial assistance and the Registrar of the Supreme Court shall be deemed to be the member secretary of the Pay-Commission Secretariat.

(7) The Government shall, so far as it is possible, issue necessary orders in accordance with the recommendation made under this rule.

5. Repeal and Savings.—(1) The Bangladesh Judicial Service (Pay-Commission) Rules, 2006 issued by S.R.O.No.-81-Law/2006-FM/FD (EST-1)/miscellaneous-3/2006 on 21 may, 2006/7Jaistha, 1413 is hereby repealed.

(2) Notwithstanding such repeal, all acts done and actions taken under the repealed rules shall be deemed to have been done and taken under these rules.

By order of the President

Siddiqur Rahaman

Secretary.