

The
Bangladesh  Gazette

Extraordinary
Published by Authority

WEDNESDAY, SEPTEMBER 22, 1976

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

NOTIFICATION

Dacca, the 22nd September, 1976.

No. 939-Pub.—The following Ordinances made by the President of the People's Republic of Bangladesh, on the 19th September, 1976, is hereby published for general information:—

THE ANTIQUITIES (AMENDMENT) ORDINANCE, 1976.

Ordinance No. LXXIII of 1976.

AN

ORDINANCE

to amend the Antiquities Act, 1968.

WHEREAS it is expedient to amend the Antiquities Act, 1968 (XIV of 1968), for the purposes hereinafter appearing:

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975, and the 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

1. **Short title.**—This Ordinance may be called the Antiquities (Amendment) Ordinance, 1976.

(2867)

Price: 75 Paise.

2. **Amendment of Act XIV of 1968.**—In the Antiquities Act, 1968 (XIV of 1968), hereinafter referred to as the said Act, throughout the Act, unless otherwise provided—

- (a) for the word "Pakistan" the word "Bangladesh" shall be *substituted*;
- (b) for the words "Central Government" the word "Government" shall be *substituted*; and
- (c) for the word "rupees" the word "Taka" shall be *substituted*.

3. **Amendment of section 2, Act XIV of 1968.**—In the said Act, in section 2,—

- (a) In clause (b), for the word, comma and figure "May, 1857" the words "the preceding hundred years" shall be *substituted*; and
- (b) in clause (c), for the word "Pakistan" the words "the People's Republic of Bangladesh" shall be *substituted*.

4. **Amendment of section 3, Act XIV of 1968.**—In the said Act, in section 3, in clause (b), for the words and comma "the National Assembly of Pakistan, one being from each Province" the word "Parliament" shall be *substituted*.

5. **Amendment of section 7, Act XIV of 1968.**—In the said Act, in section 7, for the words "direct the Provincial Government to acquire such land or any part thereof and the Provincial Government shall thereupon acquire such land or part" the words "acquire such land or any part thereof" shall be *substituted*.

6. **Amendment of section 16, Act XIV of 1968.**—In the said Act, in section 16, in sub-section (1), for the words "direct the Provincial Government to acquire such antiquity or any part thereof and the Provincial Government shall thereupon acquire such antiquity or part" the words "acquire such antiquity or any part thereof" shall be *substituted*.

7. **Amendment of section 21, Act XIV of 1968.**—In the said Act, in section 21, after sub-section (4), the following new sub-sections shall be *added*, namely:—

- "(5) Whoever contravenes the provisions of this section shall be punishable with imprisonment which may extend to six months, or with fine, or with both.
- (6) The court trying an offence under sub-section (5) may direct that any antiquities in respect of which the offence has been committed shall be forfeited to the Government."

8. **Amendment of section 22, Act XIV of 1968.**—In the said Act, in section 22, in sub-section (2), for the words, figures, comma and brackets "section 19 of the Sea Customs Act, 1878 (VIII of 1878)" the words, figures, comma and brackets "section 16 of the Customs Act, 1969 (IV of 1969)" shall be *substituted*.

9. **Omission of section 32, Act XIV of 1968.**—In the said Act, section 32 shall be *omitted*.

ABUSADAT MOHAMMAD SAYEM
President.

DACCA;

The 19th September, 1976.

THE BANGLADESH SHISHU ACADEMY ORDINANCE, 1976

Ordinance No. LXXIV of 1976.

AN

ORDINANCE

to provide for the establishment of the Bangladesh Shishu Academy.

WHEREAS it is expedient to provide for the establishment of the Bangladesh Shishu Academy for promotion of cultural, scientific and recreational activities for children, and for matters ancillary thereto;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975 and the 8th November, 1975 and in exercise of all powers enabling him in that behalf the President is pleased to make and promulgate the following Ordinance :—

1. **Short title.**—This Ordinance may be called the Bangladesh Shishu Academy Ordinance, 1976.

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

- (a) "Academy" means the Bangladesh Shishu Academy established under this Ordinance;
- (b) "Board" means the Board of Management of the Academy;
- (c) "Chairman" means the Chairman of the Academy;
- (d) "Director" means the Director of the Academy;
- (e) "Member" means a member of the Board;
- (f) "prescribed" means prescribed by regulations made under this Ordinance.

3. **Establishment and incorporation of the Academy.**—(1) As soon as may be after the commencement of this Ordinance, the Government may, by notification in the official Gazette, establish an Academy to be called the Bangladesh Shishu Academy.

(2) The Academy shall be a body corporate having perpetual succession and a common seal with power, among others, to acquire, hold, manage and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

(3) The headquarters of the Academy shall be at Dacca.

4. **General direction.**—(1) The general direction and administration of the affairs and business of the Academy shall vest in a Board of Management which may exercise all powers and do all acts and things which may be exercised or done by the Academy.

(2) The Board, in discharging its functions, shall be guided by such directions as the Government may, from time to time, give.

5. **Board of Management.**—(1) The Board of Management of the Academy shall consist of the following members, namely:—

- (a) the Chairman of the Academy;
- (b) the Director-General, Bangla Academy, *ex-officio*;
- (c) the Principal, College of Arts and Crafts, *ex-officio*;
- (d) the Director, Dacca Museum, *ex-officio*;
- (e) the Financial Adviser to the Ministry of Education, *ex-officio*;
- (f) one representative from the Cultural Affairs and Sports Division to be nominated by the Government;
- (g) one representative from the Education Division to be nominated by the Government;
- (h) one representative from the Council of Child Welfare to be nominated by that Council;
- (i) four persons, of whom two shall be women, interested in the promotion of children's activities to be nominated by the Government; and
- (j) the Director of the Academy who shall also be the Secretary of the Board.

(2) A member other than an *ex-officio* member shall hold office for a period of three years from the date of their nomination:

Provided that the Government may, at any time, by order in writing, terminate the membership of any member without assigning any reason.

(3) If a member fails to attend three consecutive meetings of the Board or remains out of Bangladesh for a continuous period of six months, he shall cease to be a member and a vacancy shall occur in the Board.

(4) Any member nominated under clause (j) of sub-section (1) may at any time, resign his office by notice in writing to the Government:

Provided that no resignation shall take effect until it has been accepted by the Government.

(5) If any vacancy occurs in the Board during the currency of the term of office of a nominated member, the nomination of a new member shall be made by the authority concerned and the member so nominated shall hold office for the unexpired period of the term of his predecessor.

6. **Functions of the Academy.**—(1) Subject to such limits as may be determined by the Government, the functions of the Academy shall be to make arrangements for production of children's literature, promotion of cultural, scientific and recreational activities for children and for paintings and dramas by children.

(2) In particular and without prejudice to the generality of the foregoing provision, the Academy may—

- (a) establish, promote, organise or otherwise deal with any institution or organisation to further the object of the Ordinance;

- (b) receive moneys, securities and such other instruments and any other property, movable or immovable, for and on behalf of the Academy;
- (c) invest the moneys and fund of the Academy and vary the investments as and when it may deem fit;
- (d) purchase, sell, endorse, transfer, negotiate or otherwise deal in securities;
- (e) pledge, hypothecate, mortgage or otherwise charge the properties of the Academy with the prior approval of the Government;
- (f) enter into contracts and agreements and execute necessary documents :
Provided that no such contract or agreement shall be made and documents executed with a foreign Government, foreign agency or an international organisation without the prior approval of the Government;
- (g) conduct research and arrange publication of research papers and materials;
- (h) do such other acts as are necessary for and conducive to further the object of this Ordinance.

7. **Appointment of the Chairman.**—The Government shall appoint the Chairman of the Academy on such terms and conditions as the Government may determine.

8. **Appointment of the Director, etc.**—(1) The Government shall appoint one Director and two Assistant Directors of the Academy, on such terms and conditions as the Government may determine.

(2) The Director and the Assistant Directors shall be whole time officers of the Academy and shall exercise such powers and perform such functions as may be prescribed and, until so prescribed, as may be assigned to them by the Government or the Board.

9. **Appointment of officers, etc.**—The Board may, with the prior approval of the Government, appoint such officers, specialists, and other employees as it considers necessary for the efficient performance of its functions on such terms and conditions as it may determine.

10. **Meetings of the Board.**—(1) The meetings of the Board shall be held at such times and places as may be prescribed :

Provided that a meeting may also be otherwise convened by the Chairman when he so thinks fit.

(2) The meetings of the Board shall be conducted in accordance with such procedure as may be prescribed and, until such regulations are made, in such manner as the Chairman may direct.

(3) To constitute a quorum at a meeting of the Board not less than three members shall be present.

(4) All meetings of the Board shall be presided over by the Chairman or, in his absence, by a member elected for that purpose by the members present.

(5) At a meeting of the Board, each member shall have one vote, and, in the event of an equality of votes, the Chairman shall have a second or casting vote.

(6) No act or proceeding of the Board shall be invalid merely on the ground of existence of any vacancy in, or any defect in the constitution of, the Board.

11. **Divisions of the Academy.**—The Academy may have such Divisions as the Board may consider necessary to set up for efficient discharge of the functions of the Academy.

12. **Fund of the Academy.**—(1) There shall be a fund of the Academy to which shall be credited—

(a) grants and loans from the Government;

(b) loans raised in Bangladesh;

(c) aids and grants received from foreign countries or organisations with the prior approval of the Government;

(d) donations and endowments;

(e) income from investments and properties; and

(f) all other receipts of the Academy.

(2) The fund shall be utilised by the Academy to meet charges in connection with the functions under this Ordinance and all payments of the Academy shall be made out of that fund.

(3) All moneys of the Academy shall be deposited with any bank.

13. **Powers to borrow.**—The Academy may, with the previous approval of the Government, borrow money in Bangladesh.

14. **Accounts of Academy.**—The Academy shall maintain its accounts in such manner and form as the Government may direct.

15. **Budget.**—The Academy shall, by such date as may be fixed by the Government, submit to the Government for approval a budget in such form as the Government may specify for each financial year showing the estimated receipts and expenditure during that year.

16. **Audit.**—(1) The accounts of the Academy shall be audited by the Comptroller and Auditor-General of Bangladesh (hereinafter in this section referred to as the Auditor-General) in such manner as he deems fit.

(2) For the purpose of audit under sub-section (1), the Auditor-General or any person authorised by him in this behalf shall have access to all records, books, documents, cash, securities, stores and other property of the Academy and may examine the Chairman, members, Director, Assistant Directors or any other officer or employee of the Academy.

(3) The Auditor-General shall submit his audit report to the Government and shall forward a copy thereof to the Academy.

17. **Reports, etc.**—The Academy shall furnish to the Government such reports and statements as the Government may, from time to time, require.

18. **Power to make regulations.**—(1) The Academy may, with the previous approval of the Government, make regulations for carrying out the purposes of this Ordinance.

(2) All regulations made under sub-section (1) shall be published in the official Gazette.

ABUSADAT MOHAMMAD SAYEM

President.

DACCA;

The 20th September, 1976.

A. K. TALUKDAR

Deputy Secretary.

MINISTRY OF COMMUNICATIONS

Ports, Shipping and IWT Division

NOTIFICATIONS

Dacca, the 21st September, 1976.

No. S. R. O. 321-L/76/WE/M-31/76.—In exercise of the powers conferred by section 20 of the Inland Mechanically Propelled Vessels Act, 1917 (I of 1917) and in supersession of all previous Notifications in this behalf, the Government is pleased to appoint the following persons to be examiners for the purpose of examining the qualifications of persons desirous of obtaining certificates of competency to the effect that they are competent to act as masters or serangs on board mechanically propelled vessels, namely:—

- (1) Principal Officer, Mercantile Marine Department, Chittagong;
- (2) Mr. Anis Ahmed, Principal Deck Personnel Training Centre;
- (3) Capt. Ramjan Ali, Harbour Master, Chittagong Port Trust;
- (4) Mr. Mohammad Hussain, Marine Superintendent, Bangladesh Inland Water Transport Authority.

No. S. R. O. 322-L/76/WE/M-31/76.—In exercise of the powers conferred by section 20 of the Inland Mechanically Propelled Vessels Act, 1917 (I of 1917), and in supersession of all previous Notifications in this behalf, the Government is pleased to appoint the following persons to be examiners for the purpose of examining the qualifications of persons desirous of obtaining certificates of competency to the effect that they are competent to act as engineers or engine drivers on board mechanically propelled vessels, namely:—

- (1) Mr. Tareck Anis Ahmed, Chief Marine Engineer, Bangladesh Inland Water Transport Authority;
- (2) Mr. A. Samad, Engineer and Ship Surveyor, Government of the People's Republic of Bangladesh;
- (3) Mr. Md. Osman Ghani, Officer on Special Duty, Engineering Department, Bangladesh Shipping Corporation;
- (4) Mr. A. K. M. Ashrafuddin, Senior Marine Engineer, Bangladesh Inland Water Transport Authority.

No. S.R.O. 323-L/76/WE/M-31/76.—In exercise of the powers conferred by sub-section (1) of section 21 of the Inland Mechanically Propelled Vessels Act, 1917 (I of 1917), and in supersession of this Ministry's Notification No. S.R.O. 346-L/75-WE/M-101/75-454, dated the 2nd October, 1975, the Government is pleased to appoint the Director of Shipping, Government of the People's Republic of Bangladesh to grant certificates of competency, under the aforesaid sub-section.

By order of the President
Md. RAMJAN ALI MIA
Deputy Secretary.

**MINISTRY OF FINANCE
NATIONAL BOARD OF REVENUE**

(Income-Tax)

NOTIFICATION

Dacca, the 21st September 1976.

No. S.R.O. 324-L/76.—In exercise of the powers conferred by sub-section (1) of section 15D of the Income-tax Act, 1922 (Act XI of 1922), the National Board of Revenue is pleased to approve The Insaniyet Society, Dacca, for purposes of that section subject to the following conditions:—

- (1) Books of accounts of the society shall be audited by a Chartered Accountant every year. A copy of such audited accounts shall be submitted every year to Deputy Commissioner of Taxes in whose territorial jurisdiction it is situated;
- (2) The society shall not make any donation or grant to any other charitable institution or fund unless it is an institution or fund approved under section 15D(1);
- (3) That in the event of dissolution of the society its assets left after meeting its liabilities, if any, shall be transferred to another institution or fund approved under section 15D(1), of the Income-tax Act, 1922.

SHAMSUZZAMAN CHOUDHURY
Second Secretary.

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

Section IV

NOTIFICATION

Dacca, the 21st September, 1976.

No. 753-JIV/1T-3/76.—In exercise of the powers conferred by Regulation 2 of the Martial Law Regulations, 1975 (Regulation No. I of 1975), and in partial modification of this Ministry's Notification No. 724-JIV/1T-3/76, dated

the 8th September 1976, the Government is pleased to appoint Mr A. M. M. Atiqus Samad, Magistrate, 1st Class, in place of Mr Md. Nazrul Islam as Member, Summary Martial Law Court, Dacca Sadar (North) and direct that the following amendment be made in the said Notification, namely:—

In the said Notification, in the schedule, for the entry “Mr Md. Nazrul Islam” in column III against the entry “1. Summary Martial Law Court, Dacca Sadar (North)” in column I the entry “Mr A. M. M. Atiqus Samad” shall be substituted.

By order of the President

A. R. CHOUDHURY

Secretary.

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS

Justice Branch

Section-VIII.

CORRIGENDUM

Dacca the 21st September 1976.

No. 608-JVIII/2N-42/76.—In S.R.O. 185-L/76, dated the 21st June, 1976, published in the *Bangladesh Gazette, Extraordinary* of the 23rd June, 1976,—

(a) গেজেটের ১৭৪৮-১৭৪৯ পৃষ্ঠায়—

“ফরম-জি” এর ১ নং কলামে শব্দ “মূর” এর স্থলে শব্দ “নম্বর” হইবে;

(b) গেজেটের ১৭৫২-১৭৫৩ পৃষ্ঠায়,—

“ফরম-আই” এ,—

(i) “বাংলাদেশ ফরম নং ১৬০৮” শব্দ ও সংখ্যাগুলি বাদ যাইবে, এবং

(ii) সংখ্যা “১৯৫৭” এর স্থলে সংখ্যা “১৯৭৫” হইবে।

সৈয়দ মিশবাহ উদ্দিন হোসেন

উপ-সচিব।