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The Dacca Gazette

Extraordinary

Published by Authority

SATURDAY, SEPTEMBER 30, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

LOCAL GOVERNMENT DEPARTMENT

Section IX

NOTIFICATION

No. S/IX/3B-6/60/1331—27th September 1961—In exercise of the powers conferred by sub-clause (*55*) of clause (*1*) of Article 3 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), and in supersession of this Department notification Noo. S/IX/3B-6/60/141, dated 30th January 1961, the Governor is pleased to declare the area of the following mauzas bearing J.L. No. noted against each in the district of Dacca, to be an Urban area for the purpose of the said Order.

P. S. Tejgaon

Name of mauza.	J.L. No.
1. Jatrabari	339
2. Jurain	337
3. Barabo	238
4. Kafrul	268
5. Fatema Nagar	267
6. Kosh Khana	266
7. Begunbari	288
8. Tejkuni Para	278
9. Krishi Bagan	265
10. Karwan	263

(c) Against Summary

For "Major MOH

Read "Major USM

2. Cases already arra
September 1961.

Place : DACCA CANTT.
Dated 19th September 19

Printed and published by
In-charge,

	Name of mauza.			J. L. No.
11.	Tajtari Bazar	..	..	264
12.	Tajtari Bazar Chawk	..	..	261
13.	Telparbagh ..	..	..	253
14.	Raja Bazar ..	..	...	261
15.	Idga ..	..	..	252
16.	Gajmohal ..	..	..	248
17.	Sultanganj ..	..	..	256
18.	Sukrabad ..	..	..	260
19.	Adabo Chawk	..	..	241
20.	Dakhin Adabo	...	..	259
21.	Sarai Begumpur	..	..	258
22.	Brahmanchiran	..	..	342
	P. S. Ramna			
23.	Rajarbagh ..	..	..	286
24.	Purana Paltan Line	...	..	285
25.	Baze Kakrail	..	..	284
26.	Barikabad ..	..	..	283
27.	Bag Noadda	..	..	281
28.	Kakrail ..	..	..	282
29.	Sahar Khilgaon	..	..	287
30.	Baramag Bazar	..	..	280
31.	Naya Paltan Line	..	..	250
	P. S. Lalbagh			
32.	Dhanmondi	..	..	251
	P. S. Keraniganj			
33.	Kalunagar ..	..	..	351
34.	Raj Mushari	..	..	255
35.	Sarai Jafrabad	..	..	257
36.	Katasur ..	..	..	242
37.	Shippur ..	..	..	254
38.	Birbanda Kasra	..	..	249
39.	Chotta Sikaritola	..	..	247
40.	Kazir Bagh ..	..	..	341
	P. S. Sutrapur			
41.	Gandaria ..	..	..	338
42.	Dayaganj ..	..	..	340

This notification shall be deemed to have effe from 31st January 1961.

By order of the Governor,
S. D. KHAN,
Spl. Officer and Dy. Secy.
to the Govt. of East Pakistan.

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PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

LOCAL GOVERNMENT DEPARTMENT
Section IX

NOTIFICATION

No. S-IX/3B-6/60/1342—29th September 1961—In exercise of the powers conferred by section 7 of the Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960), read with sub-rule (*4*) of rule 4 of the East Pakistan Declaration of Municipalities Rules, 1960, the Governor is pleased to include the areas of Tejgaon and Ramna police-stations mentioned in the Schedule below, within the limits of the Dacca Municipality.

Sechedule

	Name of mauza.	Name of Union.	J. L. No.
1.	Jurain	Shampur	337
2.	Gandaria	Do.	338
3.	Jatrabari	Do.	339
4.	Dayaganj	Do.	340
5.	Kazirbagh	Do.	341
6.	Brahman Chiran	Rajarbagh	342
7.	Rajarbagh	Do.	286
8.	Purana Paltan Line	Purana Paltan	285
9.	Baze Kakrail	Do.	284
10.	Barikabad	Do.	283
11.	Kakrail	Do.	282
12.	Bag Noadda	Do.	281
13.	Shahar Khilgaon	Khilgaon	287
14.	Bara Magbazar	Do.	280
15.	Dhanmondai	Dhanmondai	251
16.	Idga	Do.	252
17.	Taleparbagh	Do.	253
18.	Tejtari Bazar Chak	Tejgaon	261
19.	Raja Bazar	Do.	262
20.	Karwan	Do.	263
21.	Tejtari Bazar	Do.	264
22.	Krishibagan	Do.	265
23.	Tejkuni Para	Do.	278
24.	Begunbari	Do.	279
25.	Khosh Khana	Joar Shahara	266
26.	Fatema Nagar	Do.	267
27.	Kafrul	Do.	268
28.	Barabo	Mirpur	238
29.	Adabo Chawk	Do.	241
30.	Katasur	Do.	242
31.	Dakhin Adabo	Do.	259
32.	Sarai Jafrabad	Sultanganj	257
33.	Sultanganj	Do.	256
34.	Rajmushuri	Do.	255
35.	Sarai Begumpur	Do.	258
36.	Sukrabad	Do.	260
37.	Shibpur	Do.	254
38.	Gazmohal	Do.	248
39.	Chotta Sikeritola	Do.	247
40.	Birbanda Kasra	Do.	249
41.	Kalu Nagar	Do.	351
42.	Naya Paltan Line	Azimpur Naya Paltan.	250

In exercise of the powers conferred by sub-rule (*1*) of rule 4 of the said rules and in supersession of all previous notifications issued in this behalf, the Governor is further pleased to define that the limits of the Dacca Municipality, after such inclusion shall be as follows:—

East—The boundary line starts from the Buriganga river at a point on the south-east corner of cadastral survey plot No. 178 in mauza Jurain, jurisdiction list No. 337. Then it runs towards east and then to north along the mauza boundary line and then to east and again to north till it meets the eastern boundary line of mauza Jatrabari, jurisdiction list No. 339. Then the line runs towards north along the eastern boundary line of mauza Jatrabari, No. 339 till it meets the eastern boundary line of mauza Brahman Chiran, No. 342. Then along the eastern boundary line of mauza Brahman Chiran, No. 342 it runs towards north till it meets the eastern boundary line of mauza Rajar Bagh, No. 286. Then along its eastern boundary line, the line runs towards north and then to east and again to north till it meets the junction of mauza Rajar Bagh, No. 286 and Goran, No. 288 at the north-east corner of cadastral survey plot No. 784 of mauza Rajar Bagh, No. 286.

North—The line starts from the point at the north-east corner of cadastral survey plot No. 784 in mauza Rajar Bagh, No. 286 and it runs towards west along the boundary line of the said mauza Rajar Bagh, No. 286 till it meets the mauza

Shahar Khilgaon, No. 287 near cadastral survey plot No. 706 of mauza Rajar Bagh. Then it runs along the boundary line of mauza Shahar Khilgaon, No. 287, towards west and then to north till it meets the boundary line of mauza Ulon, No. 290 at the corner of cadastral survey plot No. 370 in mauza Shahar Khilgaon, No. 287. Then along the boundary line of mauza Shahar Khilgaon the line runs towards west till it meets the boundary line of mauza Bara Magh Bazar, No. 280. Then along the boundary line of Bara Magh Bazar, the line runs towards west till it meets the boundary line of Tejkunipara, No. 278. Then along the boundary line of mauza Tejkunipara the line runs towards north and then to west till it meets the boundary line of mauza Kafrul, No. 268. Then along the boundary line of mauza Kafrul, No. 268, the line runs towards north and then to west till it meets the Mymensingh road and it runs towards north-west and then again to west till it meets the boundary line of mauza Barabo No. 238 at the junction of mauza Kafrul, No. 268, and mauza Barabo, No. 238.

West—The line starts from the junction of mauza Barabo and Kafrul and runs along the boundary line of mauza Barabo, No. 238, towards west and crosses the Mirpur Road and then to south and then to west and again to south till it meets the western boundary line of mauza Adabo Chak, No. 241. Then along the boundary line of mauza Barabo, No. 238, the line runs towards south and then to east till it meets mauza Barabo, No. 238 at the south-east corner of mauza Adabo, Chak, No. 241. Then along the boundary line of mauza Barabo, No. 238, the line runs towards east and then to south and then to west till it meets the boundary line of mauza Katasur, No. 242. Then along the boundary line of mauza Katasur, No. 242, the line runs towards west till it meets the "River Turag". Then along the bank of "the river Turag" the line runs towards south till it meets the mauza Srikhanda, No. 243 at the junction of mauza Katasur, No. 242. Then along the boundary line of mauza Katasur, No. 242, the line runs towards east and then to south and then again to east till it meets the junction of mauza Katasur, mauza Sultanganj, No. 256 and mauza Baraikhali, No. 244. Then along the boundary line of mauza Sultanganj, No. 256, the line runs towards east till it meets the western boundary line of mauza Raj Mushuri, No. 255 at the junction of mauza Baraikhali, No. 244. Then along the boundary line of Raj Mushuri, No. 255, the line runs towards south and then to east till it meets mauza Shibpur, No. 254 at the junction of Uttar Sonatengar, No. 245. Then along the boundary line of mauza Shibpur, the line runs towards south till it meets the junction of mauza Shibpur, No. 254, mauza Uttar Sonatengar, No. 245 and mauza Gazmohal, No. 248. Then along the boundary line of mauza Gazmohal, No. 248, the line runs towards west and then south till it meets the junction of mauza Gazmohal, mauza Dakshin Sonatengar, No. 246 and mauza Kaloo Nagar, No. 351. Then along the western boundary line of mauza Kaloo Nagar, No. 351, the line runs towards west and then to south and then to east till it meets the present Municipal boundary line at the north-east corner of mauza Enayetganj, No. 350.

South—The River Buriganga.

By order of the Governor,
S. D. KHAN,
Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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MONDAY, OCTOBER 2, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. 713-FD. (Int)—30th September 1961—In exercise of the powers conferred by paragraphs 4 and 6 of the East Pakistan Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1956, as subsequently amended, and in supersession of notification No. 795-FD (Int), dated the 27th December 1960, the Governor is pleased to direct that,—

(i) no person shall, by sugarcane apparatus, manufacture any gur within any zone for commercial purpose:

Provided that for *bona fide* household consumption a sugarcane growing family may manufacture and keep in its possession a

quantity of *gur*, subject to the maximum limit of 2 (two) maunds only, if the same is manufactured out of the sugarcane produced by it; and

(*ii*) no person shall, at any place within a zone, acquire or obtain by purchase hire or otherwise, and no person or firm shall let-out, lease or otherwise distribute, except for installation or use in a sugar factory, any sugarcane apparatus or shall use at any such place any such apparatus otherwise than in a sugar factory, and no person other than a person owning or having charge or control of a sugar factory shall bring any such apparatus from any place outside a zone to any place within such zone by rail, road or river or any other manner whatsoever.

This shall come into force with immediate effect and shall remain in force up to 31st August 1962.

By order of the Governor,
S. H. ALI,
Dy. Secy. to the Govt. of East Pakistan.

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Welfare Section

NOTIFICATION

Nos. 447 LW/1A-26/61—2nd October 1961—The following draft of amendments which, in exercise of the powers conferred by section 22 of the East Bengal Shops and Establishments Act, 1951 (East Bengal Act I of 1952), the Governor proposes to make in the East Bengal Shops and Establishments Rules, 1953, is hereby published for the information of all persons likely to be affected thereby.

The draft will be taken into consideration on or after the 10th November 1961; and any objection or suggestion with respect thereto which may be received by the undersigned on or before that date will be duly considered:

Draft Amendments

II. Amendment of rule 2—In clause (*e*) of rule 2 of the said rules, *for* the words "Labour Commissioner", *substitute* the words "Director of Labour".

2. Amendment of rule 15—In rule 15 of the said rules, *for* the words "Director of Shops and Establishments", *substitute* the words "Director of Labour".

3. Amendment of rule 18—In rule 18 of the said rules,—

(*i*) in sub-rule (*1*), *for* the words "Labour Commissioner", *substitute* the words "Director of Labour", and *delete* the words "and will be designated as the Director of Shops and Establishments";

(*ii*) in sub-rule (*2*), *for* the words "Director of Shops and Establishments", *substitute* the words "Director of Labour", and *for* the words "Assistant Labour Commissioner", *substitute* the words "Assistant Director of Labour"; and

(*iii*) in sub-rule (*3*), *for* the words "the Assistant Labour Commissioner", *substitute* the words "the Assistant Director of Labour".

4. Amendment of rule 21—In sub-rule (*1*) of rule 21 of the said rules, *for* the words "Director of Shops and Establishments", *substitute* the words "Director of Labour".

By order of the Governor,
S. S. KHAN,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. T-7/61/755-Salt.—28th September 1961—In exercise of the powers conferred by section 3 of the Tea (Control of Prices, Distribution and Movement) Ordinance, 1960 (Ordinance No. XXVIII of 1960) delegated to me by the Government of Pakistan, Ministry of Industries, under notification No. C(V)-6(71)/60, dated the 11th March 1961 and in continuation of notification No. T-7/61/656-Salt., dated the 8th August 1961, published in the *Dacca Gazette*, of its extraordinary issue, dated the 10th August 1961, I hereby notify that the firms and persons mentioned in the schedule below have been registered as tea dealers under sub-section (*I*) of section 3 of the said Ordinance by the respective Districts and Subdivisional Controllers of Food, East Pakistan, authorised for the purpose

by the Central Government under notification No. SRO-792-K, dated the 7th July 1960.

Schedule

SYLHET DISTRICT

Habiganj Subdivision

Sl. No.	Name and address of the dealers.	Remarks.
1	Manager, Noyapara Tea Estate, post-office Itakhola, district Sylhet.	Wholesaler.
2	Manager, Jogadishpur Tea Estate, post-office Jogadishpur, district Sylhet.	Do.
3	Md. Arfan Ali, village Atukura, post-office Habiganj, district Sylhet.	Do.
4	Md. Abdul Haque, Amu Road Bazar, post-office Guchapara, district Sylhet.	Do.
5	Manager, Parkul Tea Estate, post-office Rashidpur, district Sylhet.	Do.
6	Babu Promotha Nath Das, Habiganj Town, district Sylhet.	Retailer.
7	Md. Noor Miah, Madhabpur Bazar, district Sylhet.	Do.
8	Babu Madhan Muhan Gope, Habiganj Court, Station Road, district Sylhet.	Do.
9	Md. Abdul Wahad, Golden Tea House, Court Station Road, Habiganj, district Sylhet.	Do.

CHITTAGONG HILL TRACTS DISTRICT

1	Messrs M. R. Aich, Reserve Area, Chenghimukh Bazar, post-office Rangamati, Chittagong Hill Tracts.	Wholesaler.

By order of the Governor,
S. H. ALI,
Dy. Secy. to the Govt. of East Pakistan.

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TUESDAY, OCTOBER 3, 1961

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Welfare Section

NOTIFICATION

No. 450 LW/1L-18/61—3rd October 1961—In exercise of the powers conferred by the proviso to sub-section (*1*) of section 4 of the Factories Act, 1934 (XXV of 1934), the Governor is pleased to declare that the Jute Pressing Factories in East Pakistan are *not* to be seasonal factories for the purposes of the said Act.

By order of the Governor,
S. S. KHAN,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.
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THURSDAY, OCTOBER 5, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

REVENUE DEPARTMENT

Revenue Laws Section

NOTIFICATION

No. 1R-4/61/509 R.L.—2nd October 1961—In exercise of the power conferred by section 152 of the East Bengal State Acquisition and Tenancy Act, 1950 (East Bengal Act XXVIII of 1951), the Governor is pleased to make the following amendment in the East Bengal Tenancy Rules, 1954, published under notification No. 4205 L.R., dated the 9th March 1955, in Part I of the *Dacca Gazette* of the 7th April 1955, as subsequently amended, namely:—

Amendment

In rule 9 of the said rules,—

(1) *for* sub-rule (3), *substitute* the following, namely:—

"(3) The superior Revenue Authority referred to in sub-section (*1*) of section 120 shall be,—

(*a*) where the Provincial Government has made an order under clause (*iii*) of sub-section (*1*) of section 122 directing that the consolidation of holdings be effected in any particular area, the Settlement Officer, Land Consolidation, of that area, and

(*b*) in any other case, and in respect of any other area, the Deputy Commissioner of the district.";

(2) in sub-rule (4), *for* the words, brackets and figures "sub-sections (*3*) and (*4*)", *substitute* the words, brackets, figures and commas "sub-sections (3), (4), (5), (6), (7), (8) and (9)";

(3) *after* sub-rule (4), so amended, *insert* the following new sub-rule, namely:—

"(4a) In determining the amount of compensation referred to in sub-section (*4*) of section 122, or in transferring any encumbrance referred to in sub-section (*1*) of section 129, the Revenue-officer shall have regard to the market value of the land and the trees or other things, if any, attached thereto and also the suggestion of the Advisory Committee, if any, in this respect.";

(4) *after* sub-rule (5), *insert* the following new sub-rule, namely:—

"(5a) When the Provincial Government makes an order under clause (*iii*) of sub-section (*1*) of section 122 directing that consolidation of holdings be effected in any area, the Revenue-officer shall cause a proclamation to be made in the area to which the order relates informing all concerned that the consolidation operation shall start in that area. Such proclamation shall be made by beat of drum in the mauzas concerned, and, by affixing copies of the same at places of public assemblies, local markets, Government Offices, offices of the Union Councils and other conspicuous places in the area under consolidation. The Revenue-officer shall, also, either in the same proclamation, or at any time thereafter but before the draft publication of the scheme under sub-section (*1*) of section 123, by a general notice, to be published in the same manner, require all beneficiaries of encumbrances attached to any land in the area, to declare in writing before the Revenue-officer, their interests, within 15 days of the date of affixing the copy of the proclamation or general notice at the office of the Union Council within whose jurisdiction the land is situated.";

(5) *after* sub-rule (6), *insert* the following sub-rule, namely:—

"(6a) In preparing a scheme for consolidation of holdings under sub-section (*1*) of section 122, the Revenue-officer may, either of his own motion, or, on application, correct any entry in any record-of-rights, including maps, if he is satisfied that such entry has been made owing to a *bona fide* mistake, or correction of such entry is necessary as a result of succession to, or transfer of, the interest of a raiyat.";

(6) *for* sub-rule (8), *substitute* the following, namely:—

"(8) An appeal under sub-section (*1*) of section 124 shall be preferred within 30 days of the date of the order appealed against, and

shall lie to the Settlement Officer, Land Consolidation, of the area where an order under clause (*iii*) of sub-section (*1*) of section 122 has been made in respect of such area, and, to the Deputy Commissioner of the district in any other case, and in respect of any other area. A second appeal under sub-section (*2*) of section 124 shall be preferred within 30 days of the date of the order appealed against. Every such appeal and second appeal shall state the grounds on which it is based and be accompanied by certified copy of the order appealed against."; and

(7) *after* sub-rule (8), *insert* the following new sub-rule, namely:—

"(8a) When an encumbrance is transferred from the original holding to a new holding under sub-section (*1*) of section 129, the Revenue-officer shall note such transfer on the document of encnmbrance under his own official seal, when such document is produced before him. The transfer of encumbrance shall also be noted in the new khatian to be prepared under sub-section (*1*) of section 126.".

By order of the Governor,

M. H. MALLICK,
Dy. Secy.-in-charge.

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FRIDAY, OCTOBER 6, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-28/61/858-L/II—5th October 1961—Whereas Ispahani Idustrial Workers' Union, Pahartali, Chittagong, applied to the Industrial Court, East Pakistan, at Dacca for adjudication of the Industrial Dispute between Ispahani Industrial Workers' Union, Pahartali, Chittagong and Messrs Ispahani Cotton Spinning Mills, Pahartali, Chittagong ;

And whereas the said Industrial Court has given its award as appended hereto ;

Now, therefore, in pursuance of sub-section (2) of section 12 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), the Governor is pleased to direct that the said award be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,
S. S. KHAN, C.S.P.,
Dy. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT, EAST PAKISTAN

M. A. Jalil, Esq. .. *Chairman, Industrial Court, Government of East Pakistan.*

Mr K. M. Nasirul Haque. } *Members.*
Mr K. M. M. Abdul Qader.

AWARD

Industrial Dispute Case No. 74/60

Ispahani Industrial Workers' Union, Pahartali, Chittagong—*1st party.*

versus

Messrs Ispahani Cotton Spinning Mills, Pahartali, Chittagong—*Second party.*

This case arises out of a dispute filed under section 5(5) of the Industrial Disputes Ordinance, 1959 by the Ispahani Industrial Workers' Union, against the Ispahani Cotton Spinning Mill, Pahartali, Chittagong, on a certificate of failure having been issued by the Conciliation Officer.

(2) The dispute relates to the dismissal by the Management of four employees of the Ispahani Cotton Spinning Mill, namely, Saidul Haque, Milan Ahmad, Md. Solaiman and Golam Mostofa.

(3) The Union contends that these employees were dismissed not because of any actual misconduct on their part but because of their participation in Union activities much against the wishes of the Management and that they having been dismissed without any just cause and without sufficient opportunity given to them to explain their coduct, the order of dismissal was illegal and they are entitled to be reinstated with back pay.

4. The Management denies the charge of victimisation and avers that the employees concerned were dismissed for misconduct after proper enquiry and that therefore, their claim to reinstatement cannot be entertained.

5. The only point for determination is whether the employees abovenamed were lawfully dismissed.

6. I shall take up the case for and against each employee separately.

Saidul Haque :

7. Saidul Haque was one of the Head Doffers in the Ring Frame Section of the Mill. The case for the second party is that on 3rd July 1960, the Manager Mr Syed Jalil, second party witness No. 4, visited the section on a round of inspection and observed a huge pile of bobbins lying uncared for about and underneath a bobbin box. He ordered the box to be removed and when the box was removed he saw some bobbins lying behind the box also. Out of the bobbins so found, some 80 were found in a broken or damaged condition. He called Saidul Haque and questioned him about this. Saidul Haque flatly denied responsibility and blamed the Bobbin Carrier and the Supervisor.

8. Upon this, on the same date, 3rd July 1960 a notice was served upon Saidul Haque calling upon him to show cause why his services should not be terminated with immediate effect for neglect of duty, *vide* Ext. A. Saidul Haque submitted an explanation on 6th July 1960 stating, *inter alia*, that during inspection the Manager found only five empty bobbins behind the box and none of of these bobbins was broken or damaged, that it was the duty of the Bobbin Carrier to keep the empty bobbins in the receptacle meant for the same and to see that these are not broken or damaged but instead of holding the Bobbin Carrier responsible the Manager held him (Saidul Haque) responsible for the omission, that it is his firm belief that the Manager took action against him mainly because of his Union activities, for, while leaving the section the Manager threatened him saying, **"Tom Mill Mey Ghom Ghom Karke Leaderi Kerta Hai; Mai Iska Action Lega"**. In his explanation Saidul Haque also stated that the five bobbins that were found behind the box were, in all probability, planted there by somebody in pursuance of a conspiracy to terminate his services, *vide* Ext. B.

9. On receipt of this explanation the Management, on 6th July 1960, served a notice on Saidul Haque suspending him from work up to the 8th July 1960 and directing him to join on the 9th as an ordinary Doffer and calling upon him to withdraw the allegations made against the Management and tender apology for the same. In the notice an assurance was given that a lenient view might still be taken of his neglect of duty if he withdrew the remarks and tendered apology, *vide* Ext. C. On 9th July 1960, Saidul Haque submitted a petition to the Manager admitting his responsibility as Head Doffer but denying once again that the bobbins were broken. Moreover, he did not withdraw the allegations made by him in his explanation, dated 6th July 1960, nor did he tender apology, *vide* Ext. D. On his having taken up this attitude the Management, by an order of the same date, *i.e.*, 9th July 1960, dismissed him from service. On 24th October 1960, Saidul Haque received all the moneys that were due to him on account of wages, efficiency bonus, etc., and gave the receipt Ext. S in acknowledgement of a full and final settlement of his claim.

10. The case made out by the Union before us is practically the same as made out in Saidul Haque's explanation, dated 6th July 1960. The only difference is that here before us the charge of conspiracy which was levelled against the Management was not repeated.

11. In support of its case, the Union has examined Saidul Haque, first party witness No. 1, and three other persons, namely, first party witnesses Nos. 2, 3 and 6 who were in the employ of the Mill as doffer or spinner at the relevant time and who are still in service. These witnesses have stated that the Manager found only five bobbins lying behind the box and that none of them was broken or damaged and that the Manager while leaving the section after inspection threatened Saidul Haque with disciplinary action on the ground that he paid more attention to his Union activities. As against this evidence of the first party witnesses there is the evidence of the Manager Mr. Syed Jalil, witness No. 4 of the second party. Mr. Jalil states that he found a large number of bobbins around and underneath the box and that when under his orders the box was removed he found some bobbins lying behind the box also. He says that out of these bobbins nearly eighty were found broken or damaged and he explained fully in his evidence how and under what circumstances the bobbins were damaged. He denies that he threatened Saidul Haque with disciplinary action on the ground of his Union activities.

12. Now, on 12th July 1958, the Management issued a notice to all Head Doffers of the Ring Frame Section informing them that in view of the increase in the number of Ring frames they would be given an increase of annas 4 per day with effect from 10th July 1958 subject to the condition that they must ensure that cotton or bobbins are never left on the floor, that the yarn remain connected and doffing is done in time and quickly, *vide* Ext. F.

13. On 24th November 1958, the Management issued a reminder to all Head Doffers impressing upon them the necessity of keeping the Ring Frame Section spotlessly clean and calling upon them to see that the Ring Frame Section is not strewn with bobbins or cotton. They were told that the increment of annas 4 per day was allowed on the express condition that the Ring Frame Section would be kept clear of bobbins and cotton and that if they did not fulfil the condition they would forfeit the increment, *vide* Ext. F(3). Both these notices—Exts. F and F(3) bear Saidul Haque's signature.

14. On 8th February 1960, the Management issued a notice to Saidul Haque calling upon him to show cause why disciplinary action shall not be taken against him for his negligently spoiling the production of yarn in Ring Frame Machine No. 19, *vide* Ext. F(1). Saidul Haque submitted an explanation on the same date stating that it all happened due to the defect of the machine for which he was not responsible, *vide* Ext. E. The Management by its letter, dated 16th February 1960, informed Saidul Haque that there was no defect in the machine, because on the same date and on the same machine doffing was done perfectly both before and after the production in question and that it was due to his negligence in the matter of winding of the yarn round the cops that a considerable quantity of yarn was wasted. The Management, however, took no action against him on that occasion and let him off with a warning for the future, *vide* Ext. F(2).

15. While it is true that it was the duty of the Bobbin Carrier to bring bobbins to Ring Frame Section and keep them in the boxes placed alongside the wall for storage. But there can be no doubt that Saidul Haque, as Head Doffer of the Section, was required to see that the Bobbin Carriers did their work properly. These bobbins are imported from abroad and therefore, cannot be allowed to be broken or damaged for want of proper care. Saidul Haque, as we have seen, at first denied all responsibility in this matter but subsequently admitted that as Head Doffer he was responsible for the work of Bobbin Carriers.

16. As regards the number of bobbins found outside we are unable to believe the Union's case that the Manager during his inspection found only five bobbins behind the box and none around or underneath it. We are also unable to believe the Union's case that none of the bobbins was actually broken or damaged. In our view, there is no reason why the Management should take such a serious view of the matter if only five empty bobbins were found on the floor. Mr. Syed Jalil states that there could be no question of his taking any action for misplacement of five bobbins only and we believe his statement. In the show cause notice Ext. A, which was served upon Saidul Haque soon after the incident, it was clearly stated that "scores of bobbins were found lying under the Ring Cop Box in broken condition" and that "due to his negligence these bobbins which were not available in Pakistan have been destroyed" causing "a considerable loss to the Company". Saidul Haque did not submit his explanation the same day but three days thereafter, *i.e.*, on 6th July 1960 thereby gaining sufficient time and opportunity to build up a case in self-extenuation. An honest and faithful worker would unhesitatingly express regret for the loss incurred by the Management on account of his lapses but in his explanation Saidul Haque did not only not express any regret but indirectly dubbed the whole charge as false and concocted and

as designed for the purpose of dispensing with his services on the ground of his Union activities. In our view, the story of victimisation on the ground of Union activities is utterly unbelievable. No evidence has been led to show what overt act other than collecting subscriptions onside the Mill premises was done by Saidul Haque to have incurred the Management's displeasure. If the Manager was actually displeased with Saidul Haque for his Union activities and was determined to dispense with his services on this ground he would not have undertaken to reinstate him on condition of his tendering apology for the uncharitable remarks made by him. Yet we find that he gave this undertaking as many as three times, once during the enquiry, again during the conciliation proceedings and lastly at the commencement of the hearing of the case before us. Unfortunately Saidul Haque refused to tender apology and the Secretary of the Union who conducted the case on his behalf took up the position that unless all the four workers were reinstated none of them would apologise. Therefore, to say that Saidul Haque was dismissed merely because of Union activities is to ignore his own guilt which has been clearly established.

17. Saidul Haque made a grievance of the fact that no action was taken against the Bobbin Carrier or the Supervisor concerned. Bobbin Carriers act under the direction of the Head Doffer and therefore it is the Head Doffer who would be held responsible for their work. Saidul Haque does not appear to have ever complained that the Bobbin Carriers were not doing their duty properly. He just allowed them to do their part of the job as they liked and this amounted to a gross dereliction of duty on his part. Again, the Supervisor was not directly responsible for the work of the Ring Frame Section. Yet the evidence shows that he was warned for lack of supervision and he expressed regret. In any event, Saidul Haque cannot be heard to say that he cannot be punished unless the Bobbin Carrier and the Supervisor were also brought to book.

18. Thus, we are of the opinion that the Union has not been able to prove any extenuating circumstances in favour of Saidul Haque. He disobeyed the lawful and reasonable order of the Management as regards the preservation of the bobbins and since he disobeyed the order inspite of the warning contained in Ext. F(3) it must be said that the disobedience was wilful and amounted to misconduct within the meaning of section 13(*3*)(*a*) of the Standing Orders Ordinance. And since the damage to or loss of the Mills property was the direct effect of wilful disobedience on his part of the Management's order the damage or loss was wilful too and amounted to misconduct within the meaning of section 13(*3*)(*c*) of the said Ordinance.

19. In the circumstances, therefore, we are unable to accede to Saidul Haque's prayer for reinstatement. We find that he has been lawfully dismissed.

Milan Ahmad:

20. Milan Ahmad used to work in the Mill as a Drawing Tenter. On 19th April 1960, at about 9 a. m., second party witness No. 1 Sobhan Ahmad, Supervisor of the Drawing, Simplex and Carding Section of the Mill visited the Drawing Section and saw Milan Ahmad operating the Drawing Machine with five instead of six entering slivers. The Drawing Machine is connected with and controlled by an automatic device, and if any one of the six entering slivers breaks the automatic device at once stops the Drawing machine. But if somebody wants to operate the Drawing machine inspite of its having been stopped by the automatic device he has only to make use of the lever (in the evidence witnesses called it handle) meant for starting and stopping the machine. Therefore, when the automatic device stopped the Drawing machine Milan Ahmad took it into his head to operate the machine by manipulating the lever. It is not disputed that if the Drawing machine is operated with five instead of the normal six entering slivers the product of the machine consisting of one whole can of sliver would be faulty. Witness Sobhan says that when he saw Milan Ahmad operating the machine with the handle he stopped the work and took charge of the faulty production and produce it before the Senior Supervisor Momtazuddin. He states also that when he proceeded to take the production to the Senior Supervisor, Milan Ahmad abused him and threatened him with assult outside the Mill. Momtazuddin, who is second party witness No. 2, states that when the Supervisor Sobhan Ahmad reported the matter to him and produced before him the Sliver can he measured the sliver from four different positions taking six yards from each position and then took the same to the testing laboratory. Each can contained nearly two thousand yards and on that occasion 32 count yarn was under production. The standard weight per six yards is 240 grains. But upon test the weight was found to be 200 grains only. And this showed that only five slivers were used instead of six. He then reported the matter to the Manager.

21. On receipt of the report the manager served a notice upon Milan Ahmad directing him to show cause why his services should not be terminated forthwith for serious neglect of duty and faulty production causing loss to the Management. It was also mentioned in the notice Ext. G(1) that that he "showed definance to the supervisor" and is therefore, guilty of insubordination.

22. Milan Ahmad submitted his explanation Ext. H(1) on 20th April 1960. In the explanation he denied the charge of negligence and insubordination and alleged that the automatic device was out of order and in spite of his having reported the matter to him Sobhan did not set it right. He pleaded that the charge has been brought against him falsely at the instance of Sobhan who had beaten a worker named Abdur Rob and against whom he deposed during enquiry by the Labour Officer in Abdur Rob's case.

23. On 21st April 1960, the Management, after being satisfied upon further enquiry that he was guilty of wilful negligence of duty and wilful damage to or loss of the Mill's property and insubordination to the Supervisor, dismissed Milan Ahmad with immediate effect, *vide* order Ext. L(2).

24. Now, in the written statement that has been filed before this Court on behalf of Milan Ahmad it was not stated why the automatic device ceased to function and why again he operated the Drawing machine by manipulating the lever. Further, it was not denied that the Drawing machine was being operated by him with five instead of the usual six entering slivers, and that the resultant product was below standard and faulty. It was simply stated that the dismissal was unjustified, that Milan Ahmad never showed any insubordination to the Supervisor Sobhan Ahmad and that the charge was brought against him on the false report of the Supervisor who bore a grudge against him on the ground of his having deposed in Abdur Rob's case.

25. At the hearing Milan Ahmad, first party witness No. 4, admitted that he was operating the Drawing meachine with five instead of six slivers. He said that the automatic device was out of order and consequently one of the six slivers got stuck up and the remaining five were in operation and that when he saw this he stopped the automatic device. He does not deny that he was operating the Drawing machine with the lever. As we have already noticed Milan Ahmad in the written statement before this Court did not allege that the automatic device was out of order. Here before us also he called no

witness to prove that the automatic device was actually out of order. On the other hand, second party witness No. 1 Sobhan Ahmad has stated that Milan Ahmad never reported to him that the automatic device was out of order and second party witness No. 2 Momtazuddin has stated that when the matter was reported to him by Sobhan he visited the section and checked up the machine and found the automatic device in good order.

26. On behalf of Milan Ahmad it is urged that if the automatic device had not gone out of order why should he use the handle which involves extra labour. To our mind the answer is clear. On Milan Ahmad's own admission in the evidence the automatic device stopped not because of any mechanical defect in it but because of one of the six slivers getting stuck up. That being the case, it was plainly his duty to set right the defective sliver, but instead of doing so, he continued the work with the remaining five slivers by manipulating the lever. Obviously he did it in his own interest, because he was a piece-rate worker and loss of production due to stoppage of work meant loss of his earnings. But in furthering his own interest he just forgot the interest of the Mill. In this case, as the evidence shows, the weight of the product was at least forty grains below the standard and the count was 26·6 instead of 32 which was under production.

27. It appears that Milan Ahmad was found guilty of negligence of duty on three occasions previously, once in August 1959, *vide* Exts. G(2) and L(1), again in January 1960, *vide* Exts. G, H and I, and once again in February 1960, *vide* Exts. J, K and L. On the first two occasions he was let off with a warning, *vide* Exts. L(1) and I, and on the the third occasion he was suspended for two days, *vide* Ext. L. Milan Ahmad admits in his evidence that he got warnings previously.

28. In the circumstances, there can be no doubt that Milan Ahmad was guilty of habitual negligence of neglect of work within the meaning of section 13(*3*)(*i*) and wilful damage to or loss of the Mill's property within the meaining of section 13(*3*)(*c*) of the Standing Orders Ordinance and was, therefore, liable to be dismissed without any notice or any compensation in lieu of notice for misconduct. The story of enmity with Sobhan which Milan Ahmad pleaded in defence has not been established. Moreover, upon the facts and circumstances of the case it is perfectly clear that it has had nothing to do with the charges of negligence and faulty production brought against him.

29. In the view that we take as regards the charge of negligence and faulty production we consider it unnecessary to enter into the question of insubordination. Milan Ahmad pleaded victimisation as did the rest. The story of victimisation has simply not been proved.

30. In the result, then, we find that Milan Ahmad has been rightly dismissed.

Md. Solaiman :

31. Solaiman was one of the Head Doffers in the Ring Frame Section. On 22nd April 1960, the Management served a notice upon him to show cause why his services should not be terminated for his having wilfully stopped the work of eight ring frames for about half an hour during the night shift on 22nd April 1960, thereby causing loss of production, for insubordination to his immediate superior, the supervisor and for his having incited his co-workers to stop work. Solaiman submitted an explanation which was found unsatisfactory and accordingly, on 26th April 1960, he was dismissed.

32. It is admitted on all hands that during the night shift on 22nd April 1960, Solaiman as Head Doffer stopped the work of eight out of 22 ring frames under his charge. The first question is how long the work was stopped. On the side of the Union two witnesses, namely, Solaiman himself and a Doffer under him named Fazlur Rahman have deposed to this point. Solaiman states that the work was stopped for 5/7 minutes only and witness Fazlur Rahman states that it was stopped for 6/7 minutes only. On the side of the Management the Supervisor Safi Khan, second party witness No. 3, states that the work was stoppoed for 20/25 minutes but in cross examination he reduced the period of stoppage to 10/15 minutes. The Management has produced the production Tables Ext. T-T(2) in respect of the night shifts on 8th April, 15th April and 22nd April 1960 and these tables purport to show that the normal production in the night shift of previous Fridays (8th April and 15th April), was 256·27 and 256·82 hanks respectively, whereas the production in the night shift on Friday, the 22nd April 1960, amounted to 254·54 hanks. This shows that there was loss in production to the extent of about two hanks on the night of 22nd April. As the night shift on Fridays has 6½ working hours and as there were 45 ring frames in all, the normal production per hour of 8 ring frames would be in the neighbourhood of seven hanks (*see* also annexure C filed by the Second party). On that footing it is clear that the work of the eight ring frames was stopped for 15/20 minutes. Solaiman admits that it is he who switched off the machines.

33. The next question is why was the work of these eight ring frames stopped. The explanation of the Union is that the work was stopped because one of the workers, namely, Mahmudul Haque was absent and the Supervisor did not provide any substitute in his place. The Management contends that a substitute was duly provided and that in any event the work was not required to be stopped for want of one man. Its case is that actually the work was stopped as a protest against the Management's order appointing some persons as Assistant Head Doffer superseding Mahmudul Haque.

34. Admittedly Mahmudul Haque was one of the workers in the Ring Frame Section. But while the Union alleges that he was the Assistant Head Doffer the Management avers that he was only a doffer, that there was no post of Assistant Head Doffer in the Mill before 22nd April 1960, and that it is only on 22nd April 1960, for the first time that some Assistant Head Doffers were appointed. In support of the Union's case there is only the oral testimony of witnesses Solaiman and Fazlur Rahman. Neither of them can say, however, when Assistant Head Doffers were appointed or how long Mahmudul Haque acted as Assistant Head Doffer. The Management has produced the order Ext. Q, dated 22nd April 1960, and this order goes to show that Assistant Head Doffers were appointed for the first time on the 22nd of April 1960, and that nine persons other than Mahmudul Haque belonging to three different sections were appointed Assistant Head Doffers on an increased remuneration with effect from that date. It appears that Mahmudul Haque was dissatisfied with the order superseding his claim or supposed calim and refused to work and even left the Mill's service. It appears also that when it became known to the Ring Frame Section that Mahmudul Haque was superseded, Solaiman saw the Supervisor Safi Khan, second party witness No. 3 and questioned the propriety of the order superseding Mahmudul Haque and started a sort of agitation over the matter. The Supervisor states that Solaiman protested against the appointment of Doffer Khorshed Alam as Assistant Head Doffer and insisted upon Mahmudul Haque being appointed Assistant Head Doffer in his place. The witness states also that the work of the eight ring frames was stopped not because of the absence of one worker, for a substitute, named, Lutfar Rahman was provided immediately and in any event absence of one man does not affect the work, but as a protest

against the management's order superseding Mahmudul Haque. This evidence of the Supervisor is practically admitted by Solaiman and Fazlur Rahman. Solaiman states in his evidence that only one doffing machine is worked at a time and that if any one of the workers fails to turn up the work need not be stopped. He states also that a substitute was supplied in place of Mahmudul Haque. Witness Lutfar Rahman states that the workers came to the Mill at 11 p.m. (it being a night shift) and commenced work about 20/25 minutes thereafter and the Supervisor supplied the substitute one or two minutes after the commencement of the work. The witness, in order to justify the stoppage of work, alleged, however, that the substitute Lutfar Rahman who was a spinner did not know the work of doffing. But we find from Ext. U—Ring Frame Doubleside Statement maintained by the Mill that Lutfar Rahman acted as doffer on many occasions previously and from the evidence of Safi Khan that doffing means taking out full bobbins from the Ring Frame and putting empty bobbins in their place. Thus there can be no room for doubt that the work was stopped not because of the want of one worker but as a protest against the Management's order appointing some persons other than Mahmudul Haque as Assistant Head Doffers.

35. Promotion cannot be claimed by workmen as matter of right. It is in the discretion of the Management and if the Management finds a particular workman not suitable for promotion it has the right to supersede him. And if on account of such supersession any of the workers, in sympathy with the superseded man, commits an act subversive of discipline, as was done in this case by Solaiman, he renders himself liable to the charge of misconduct.

36. On behalf of the Union it is urged that if Solaiman had wilfully stopped work he would have stopped all the 22 ring frames in his section instead of eight and that the fact that he stopped the work of eight ring frames only supports his contention that these eight ring frames were fully loaded and unless they were stopped the production would be faulty. Now, Solaiman in his evidence does not state that these eight ring frames were fully loaded. On the other hand he states that only one machine is worked at a time and that these eight ring frames were stopped because one of the Doffers was missing and consequently one of the machines could not be made ready. Thus the argument advanced on behalf of the Union has no substance.

37. Now, a factory engaged in the manufacture of cotton is a public utility service within the meaning of section 2(*k*) read with Schedule I of the Industrial Disputes Ordinance. Section 18 of the Ordinance lays down that no person employed in a public utility service shall go on strike in breach of contract unless certain conditions are fulfilled. In this case the work was stopped by an at the instance of the Head Doffer Solaiman without the conditions having been fulfilled. Therefore, Solaiman was guilty of misconduct within the meaning of section 13(3)(*k*) of the Standing Orders Ordinance. And since he stopped work in protest against the Management's order appointing certain persons other than Mahmudul Haque as Assistant Head Doffer and thereby wilfully caused loss of production he is also guilty under section 13(*3*) clauses (*c*) and (*h*) of the said Ordinance.

38. For the reasons aforesaid we are unable to believe that Solaiman has been victimised for Union activities. We hold that he has been rightly dismissed.

Golam Mostofa:

39. Golam Mostofa was a Reeler in the Mill. The Mill was closed for Eid Holidays from 28th to 31st March 1960, and 27th March was a Sunday. He availed himself of the holidays and went home to Noakhali on 27th March. On 6th April 1960, he sent a letter by registered post to the Management stating that he was unable to return to duty on the re-opening day, *i. e.*, 1st April 1960, on account of his wife's illness and that he would join on 8th April. This letter Ext. M was received by the Management on 9th April and consequently the Management could not send any reply. Golam Mostofa, however, did not return to his duty on 8th April as promised but, returned on 13th April, *i. e.*, after an absence of 12 days excluding the holidays. The Management did not allow him to join on 14th April, served a notice upon him directing him to show cause why his services should not be terminated forthwith, *vide* Ext. N. Golam Mostofa submitted the Explanation Ext. O which was considered unsatisfactory, and accordingly on 15th April 1960, he was dismissed, *vide* Ext. P.

40. Now, Golam Mostofa produced no independent evidence either before the Management or before this Court in proof of his wife's illness. In his evide nce before this Court he stated that his wife had been suffering from typhoid but in the letter Ext. N he simply mentioned that he was seriously ill. He was careful enough not to mention what the illness was. Even in his explanation Ext. O he did not mention the nature of the illness. In his evidence he stated that his wife had been under the treatment of a village doctor. But neither the doctor nor any prescription of his has been produced. He stated also that when he failed to return on the 8th April, as he promised, he sent a letter by ordinary post to the Management. The Management denies having received any such letter and we find no mention whatsoever of it in his explanation Ext. O. Clearly this is an afterthought.

41. It is contended on his behalf that the Mangement ought to have given him a warning under section 8(*2*) of the Standing Orders Ordinance when he failed to return on 8th April. Reliance has been placed upon the last sentence of the subsection which runs as follows:—

> "If the workman after proceeding on leave desires an extension thereof he shall apply to the Manager who shall send a written reply either granting or refusing extension of leave to the workman if his address is available and if such reply is likely to reach him before the expiry of the leave originally granted to him."

In this case Golam Mostofa did not apply for leave for any period after the Eid Holidays, nor was any leave granted to him in continuation of the holidays. Therefore, there could be no question of his proceeding on leave or applying for extension of leave. He applied for leave on 6th April and his application reached the Management on 9th April. And since he applied for leave up to 8th April, it was not possible for the Management to send him a written reply either granting or refusing leave. Therefore, section 8(*2*) of the Standing Orders Ordinance has no application to this case.

42. Upon the facts there can be no doubt that Golam Mostofa absented himself from duty without any just or reasonable excuse and that since he was absent without leave for more than 10 days he was guilty of misconduct within the meaning of section 13(*3*)(*e*) of the Standing Orders Ordinance. Accordingly we find that he was rightly dismissed.

43 Before we part with the case we like to make one general observation. When a workman is found guilty of misconduct within the meaning of section 13(3) of the Standing Orders Ordinance it is up to the Management to dismiss him or condone his guilt according as it thinks fit and proper. And if in the exercise of its descretion or managerial prerogative it dismisses a workman according to law this Court cannot interfere. What the Court is to see is whether the legal provisions have been duly complied with and whether there has been any unfair labour practice or victimisation. In this case the Union has completely failed to prove victimisation. On the countrary, the Management has proved that the workmen concerned were guilty of misconduct and that they were dismissed after sufficient opportunity had been given to them to explain their conduct.

44. In the result, then, the case is dismissed.

M. A. JALIL,
Chairman, Industrial Court,
Government of East Pakistan.

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PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No.10A-29/61/859-L/II—5th October 1961—Whereas Ispahani Industrial Workers' Union, Pahartali, Chittagong, applied to the Industrial Court, East Pakistan, at Dacca for adjudication of the Industrial Dispute between Ispahani Industrial Workers' Union, Pahartali, Chittagong and the Management, Ispahani Cotton Spinning Mill, Pahartali, Chittagong;

And whereas the said court has given its decision as appended thereto;

Now, therefore, in pursuance of sub-section (3) of the section 12 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), the Governor is pleased to direct that the said decision be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,

S. S KHAN, C.S.P.,

Dy. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT, EAST PAKISTAN

M. A. Jalil, Esq. .. *Chairman, Industrial Court, Government of East Pakistan.*

Mr K. M. Nasirul Haque
Mr K. M. M. Abdul Qader. } *Members.*

Miscellaneous Case No. 9/61

Ispahani Industrial Workers' Union, Pahartali, Chittagong—*First party.*

versus

The Management, Ispahani Cotton Spinning Mill, Pahartali, Chittagong—*2nd party.*

DECISION

This case arises out of an application under section 26 of the Industrial Disputes Ordinance, 1959, filed by the Ispahani Industrial Workers' Union, against the Ispahani Cotton Spinning Mill, Pahartali, Chittagong.

The relevant facts are that on 19th April 1960, the Union submitted a charter of demands to the Management pressing for payment of annual bonus equivalent to three months' wages with effect from 1959, introduction of the system of Contributory Provident Fund and provision of Medical Leave for 15 days with full pay from 1959. The Management having expressed inability to accede to the demands the matter was referred to the Conciliation Officer, Chittagong Region. The Conciliation Officer effected a settlement in terms of which, on 30th June 1960, a Tripartite Agreement signed by the parties as well as the Conciliation Officer was entered into. In the present case we are concerned with that part of the agreement which relates to bonus and contributory provident fund.

The agreement provides that all permanent workers shall be given bonus equivalent to one month's basic salary and the benefit of a contributory provident fund scheme to be introduced with effect from 1st August 1960. The Union complains that under the agreement all permanent workers are entitled to bonus and contributory provident fund but that the Management has extended the benefit of these provisions to those workers only who have completed one year's service, that daily-rated workers were entitled to bonus on the basis of 26 days' basic salary but that the Management gave it on the basis of 25 days' basic salary and that some of the workers were not paid even 25 days' basic salary but were paid a much smaller amount.

According to the Union a worker who has completed a probationary period of three months is a permanent worker within the meaning of the Standing Orders Ordinance, 1960, and therefore, all workers who satisfy this condition are entitled to bonus and the benefit of the contributory provident fund.

The Management contends that the definition of the term "permanent" as given in the Standing Orders Ordinance is not applicable to bonus or contributory provident fund, but is applicable to those matters only which are expressly dealt with by the Ordinance, that the extension of the benefit of bonus and contributory provident fund to workers with only three months' service to their

credit would be contrary to prevalent practice, and would operate as a great hardship on the Management, for a worker with only three months' service could by no means claim to have contributed anything to the profits of the year 1959, in respect of which bonus was sanctioned, nor could he claim, on such insufficient service, the benifit of the contributory provident fund which is given to workers as an incentive to continuous employment and a reasonably long and faithful service. Accordingly the Management has prescribed the minimum period of service to be one year so as to entitle a worker to these benefits and in doing so it has only followed the prevalent practice.

The Management next contends that the total number of working days in 1959 being 301, 1/6, the average number of working days per month was 25 and therefore, the daily-rated workers were paid bonus equivalent to the basic wages for 25 days. The workers who got less than Rs.25 as bonus were all piece-rated workers and according to the usual practice their bonus was calculated on the basis of their average earnings during the preceding three months.

The first question for determination in this case is whether workers who have completed only three months' service should be treated as permanent so as to entitle them to the benefit of the agreement as regards bonus and contributory provident fund. The Agreement, an ill-drafted document, does not define the term "permanent", nor does it give any indication as regards what was meant by the term. *Prima facie* it was meant to cover all workers who were already treated as permanent, but the Management has produced no evidence to show on what basis or principle a worker was made permanent in its establishment before 1960. Conditions of employment in Industrial and Commercial Establishments are now regulated by the Industrial and Commercial Employment (Standing Orders) Ordinance, 1960, which came into force on 3rd February 1960.

Section 3 of the Ordinance lays down:

> "In every industrial or commercial establishment, conditions of the employment of workmen and other incidental matters shall, subject to the other provisions of this Ordinance, be regulated in accordance with the Standing Orders".

Section 4 of the Ordinance lays down:

> "The Standing Orders may be modified by means of a collective agreement and not otherwise; provided that no such agreement shall have the effect of taking away or diminishing any right or benefit available to the workmen under the provisions of the Schedule."

and according to section 2, clause (*f*) of the Ordinance "Standing Orders means the orders contained in the schedule, read with such modification, if any, as may be made in pursuance of the provisions of section 4."

Now, Order No. 1 of the Standing Orders specified in the Schedule, relates to classification of workmen. It lays down that workmen shall be classified as—permanent, probationers, badlies, temporary, casual and apprentices, and it defines a 'permanent workman' as—

> "A workman who has been engaged on a permanent basis and includes any person who has satisfactorily completed a probationary period of 3 months in the same or another occupation in the industrial or commercial establishment, including breaks due to sickness, accident, leave, lock-out, strike (not being an illegal strike) or involuntary closure of the establishment."

According to this definition all workers who have been engaged on a permanent basis or who have satisfactorily completed a probationary period of three months in the second party's establishment are permanent workers. We are unable to uphold the Management's contention that this classification is required to be made for the purpose of leave, disciplinary action, etc., and for no other purpose. In our view, the classification is required to be made not only for the purposes of leave, disciplinary action, etc., but for all purposes connected with Labour-Management problems. If the Ordinance were intended to be operative in respect of certain specific purposes only we would expect some saving clause in it. It does contain no saving clause, however; on the other hand, the order for classification is couched in such general terms that it does not admit of any restricted application. We are, therefore, of the opinion that in determining the question whether a particular worker is permanent or not we must be guided by the definition given in the Standing Orders Ordinance. Accordingly we hold also that workers who have been engaged on a permanent basis or who have satisfactorily completed a probationary period of three months shall be treated as permanent for the purpose of the agreement.

The next question is on what basis the bonus payable to the permanent workers shall be calculated. According to the Management one month's basic salary is the salary payable to a worker for the actual number of working days in a year divided by 12 and since in 1959 the actual number of working days amounted to 301 $\frac{1}{6}$th, one month's basic salary is equivalent to the salary for 25 days only. In our view this is not a correct assessment. For the purpose of bonus what has to be ascertained is the average basic salary per month and not the average basic salary for the actual number of working days per month. Therefore, in determining the average basic salary per month, the 10 days' annual holiday on full pay must also be taken into account. Calculated on this basis the average number of working days on full pay per month would be 26. It must be mentioned, however, that under section 49(*b*) of the Factories Ast only those workers who have completed a period of 12 months' continuous service in a factory are entitled to 10 days' annual holiday during the subsequent period of 12 months and therefore, workers who had not completed a period of 12 months' continuous service in 1959 would get bonus on the basis of 25 days' average basic salary per month.

In implementing the agreement as regards bonus the Management may well have been confronted with certain other problems, as for instance, there may be cases of workers who have to their credit only three months' continuous and satisfactory service in 1959, or who have to their credit more than three months' but less than 12 months' service in that year, and the question arises whether in all such cases the workers shall get bonus equivalent to one month's basic salary or whether the bonus payable to them shall bear the same proportion to one month's basic salary as the actual number of their working days in 1959 bear to the total number of working days in that year. We do not feel called upon to answer this question here. At the same time we cannot help observing that all these difficulties have arisen because of the agreement having been drafted in a very unrealistic manner and without due consideration of the various problems involved.

We next come to the question whether workers who completed only three months' service on the date of agreement (30th June 1960) are entitled to bonus for the year 1959. The Union contends that such workers also are entitled to bonus in terms of the agreement. In our view this contention is absurd on the very face of it. A worker who was

not in service in 1959 for which year the bonus was declared and who, therefore, could not have contributed anything to the profits of the Mill for that year can, by no stretch of imagination, claim the benefit of the agreement for bonus. An Industrial Establishment is not a chairtable institution that a worker shall be given bonus irrespective of whether he has rendered any service or not in the year for which the bonus is sanctioned. Therefore, this part of the Union's claim is utterly untenable.

Then as regards the workers who are said to have been given less than 25 days' basic salary as bonus, it appears that all these workers are piece-rated workers and their bonus was calculated on the basis of their average earnings during the preceding three months and that as a result they got less than the daily rated workers. In this connection reference may be made to paragraph 6 of the recommendations made by the East Pakistan Minimum Wages Board (Cotton Textile Industries), 1960, as notified in the *Dacca Gazette, Extraordinary*, dated 3rd May 1960, *vide* Ext. 1. Paragraph 6 of the recommendations is in the following terms:

> "The Board, further, recommends that the employers will revise rates of remuneration where necessary for piece-rated workmen in different groups so that on time basis of 8 hours a day and as guaranteed minimum they do not receive less wages than fixed for time-rated workmen."

Now, we do not know what rates of remuneration were granted by the Management to piece-rated workers before this recommendation of the Minimum Wages Board, nor do we know whether the rates previously paid have been revised. This, however, makes no difference as regards the application of the principle laid down by the Board which is that the piece-rated workmen shall not receive less wages than that fixed for time-rated workmen. Therefore, we are of the opinion that on whatever principle the basic salary of the piece-rated workers is calculated it shall not be less than the guaranteed minimum fixed for the time-rated workers.

We now turn to the contributory provident fund scheme. Under the agreement, as we have seen, all permanent workers are entitled to the benefit of this provision. Since permanent workers include not only workers appointed on a permanent basis but workers who have satisfactorily completed a probationary period of three months' service in the Mill's establishment, there can be no doubt that the implementation of this agreement would not only be against all previous practice in this behalf but would operate as a great hardship upon the Management. In this case, however, we are not concerned with the effect of the agreement; what we are concerned with is the implementation of the agreement. And in the absence of any evidence or suggestion that the Management's consent to the agreement was obtained by undue influence or fraud we do not see how the Management can get rid of it except by terminating it in accordance with the provisions of section 14(*2*) of the Industrial Disputes Ordinance. On behalf of the Management reliance has been placed upon a Deed of Trust, dated 22nd June 1960, executed by five persons—three representing the Employers and two, the Employees creating a Trust in respect of the "Employees (workers) Provident Fund." According to this Trust Deed the benefit of the scheme of contributory provident fund shall be available to those workers only who have rendered 12 months' continuous service inclusive of sanctioned leave. There is, however, no evidence to show that the two workmen who signed the Trust Deed acted in a representative capacity on behalf of all the workers of the Mill. There is also no mention of the Trust in the Agreement, dated 30th June 1960. If the Management had intended that the contributory provident fund scheme shall be operative in accordance with the terms and conditions of the Trust Deed we would expect some reference to it in the agreement. The fact that the agreement does not give the slightest hint as regards the creation or existence of the Trust only shows that the condition laid down in the Trust Deed as regards the minimum length of service was either ignored or not given effect to. Therefore, for the purpose of the present case we are of the opinion that the benefit of the contributory provident fund scheme shall be extended to the workers in terms of the agreement, dated 30th June 1960.

Obviously there has been some departure from the terms of the agreement which is binding upon the Management. But in the present case we are not prepared to penalize the Management for the breach in view of the fact that the agreement is vague and uncertain and has given rise to various problems which were not at all taken into account at the time when it was entered into. In our opinion section 26 of the Industrial Disputes Ordinance does not make it obligatory upon the Court to penalize all cases of breach of settlement. A breach of settlement can be penalized only when it is found to wilful. In this case the breach was due to a *bona fide* contention as regards the interpretation of the terms of the agreement. But while we refrain from taking any action under section 26 we expect that the Management will give effect to the agreement in the light of the observations made by us as aforesaid until the agreement is terminated in due course of law.

Subject to the observations made above, we dismiss this application.

M. A. JALIL,
Chairman, Industrial Court,
Government of East Pakistan.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME DEPARTMENT

Constitution and Elections

RESOLUTION

No. 2S-9/61/835 C.E.—6th October 1961—The Governor is pleased to direct that, in the interest of better administration, the Local Government Department of this Government shall, with effect from 2nd October 1961, be bifurcated into two separate Departments as mentioned below:—

(1) Basic Democracies and Local Government Department.

(2) Health and Social Welfare Department.

By order of the Governor,
K. A. HAQUE,
Chief Secy. to the Govt. of East Pakistan.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

LOCAL GOVERNMENT DEPARTMENT

Section IX

NOTIFICATION

No. LG/S-IX/1U-12/60/1345—30th September 1961—In exercise of the powers conferred by clause (*1*) of Article 31 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), and in supersession of the East Pakistan Union Committees (Functions) Rules, 1960, published under notification No. HSLG/S-II/2R-51/60/302, dated the 18th July 1960, the Governor is pleased to make the following rules, namely:

THE EAST PAKISTAN UNION COMMITTEES (FUNCTIONS) RULES, 1961

1. **Short title and commencement**—(*1*) These rules may be called the East Pakistan Union Committees (Functions) Rules, 1961.

(*2*) These rules shall come into force at once.

2. **Definitions**—In these rules, unless there is anything repugnant in the subject or context, the various words and terms defined in the Basic Democracies Order, 1959, or the Municipal Administration Ordinance, 1960, shall, for the purpose of these rules, have the same meaning as are assigned to them under the said Order or the Ordinance, as the case may be.

3. **Functions of Union Committees**—Without prejudice to the powers to be exercised and functions to be performed by a Municipal Committee under the Municipal Administration Ordinance, 1960, and the rules and by-laws made thereunder, a Union Committee may, with the approval of the Municipal Committee concerned and within the resources at its disposal, undertake within the area under its jurisdiction all or any of the functions specified in the Schedule to these rules.

4. **General Administration**—It shall be the duty of a Union Committee—

(a) to assist Government officials, the Municipal Committee and other local councils, in the proper performance of their duties in the Union, and to furnish them such information, as may be required by them for official purposes;

(b) to report to the police the commission of any offence in the Union; to bring to the notice of the police the presence in the Union of persons of notorious character; and to assist in the investigation and prevention of crime, and arresting criminals;

(c) to report to the Municipal Committee the commission of any offence under the Municipal Administration Ordinance, 1960 or any rules or by-laws made thereunder.

(d) to explain the policies of Government, the Municipal Committee, and other local councils to the inhabitants of the Union; and

(e) to bring the complaints and grievances of the inhabitants of the Union to the notice of the competent authorities.

5. **Requirements of the Union**—(*1*) A Union Committee shall, from time to time, survey the Union, and draw up reports specifying—

(a) the requirements of the Union, and the recommendations of the Union Committee for meeting such requirements;

(b) the state of municipal institutions and services in the Union, and the recommendations of the Union Committee for their improvement; and

(c) such other matters as may be of special importance for the Union.

(*2*) The report under sub-rule (*1*) shall be presented to the Municipal Committee, and the Municipal Committee may take such action thereon as may be considered necessary.

THE SCHEDULE

(*See* rule 3)

(1) Adult education.

(2) Supervision and maintenance of public places, public open spaces, public gardens and public play-grounds.

(3) Plantation and preservation of trees in general, and plantation and preservation of trees on public ways, public streets and public places in particular.

(4) Management and maintenance of common meeting places and other common property situated within the Union Committee.

(5) Prevention of encroachments on public ways, public streets and public places.

(6) Prevention and abatement of nuisances in public ways, public streets and public places; supervision of sanitation and conservancy and adoption of measures for the cleanliness of the Union including regulation of collection, removal and disposal of manure and street sweepings as well as of carcasses of dead animals.

(7) Prohibition of the use of the water of wells, ponds and other sources of water-supply suspected to be dangerous to public health.

(8) Regulation or prohibition of the watering of cattle, bathing or washing at or near wells, ponds or other sources of water reserved for drinking purposes.

(9) Celebration of public and national festivals and days.

(10) Provision of relief measures in the event of any fire, flood, hail-storm, earthquake or other natural calamity.

(11) Relief for the widows and orphans, and the poor.

(12) Promotion of public games and sports.

(13) Horticultural, industrial and community development, promotion and development of co-operative movement, cottage industries.

(14) Adoption of measures for increased vegetable production in kitchen gardens.

(15) Provision of first aid centres.

(16) Provision of libraries and reading rooms.

(17) Organisation of Social Service Volunteers.

(18) Adoption of measures for the settlement of disputes by conciliation and arbitration.

(19) Prevention of beggary.

(20) Adoption of measures for promotion of the welfare of women, backward classes, children, and families of persons serving in Armed Forces.

(21) Promotion of social, civic, patriotic virtues among the people and discouraging of parochial, racial; tribal, sectarian, and provincial prejudices.

(22) Any other measures likely to promote the welfare, health, safety, comfort or convenience of the inhabitants of the Union Committee area or of visitors.

By order of the Governor,

S. D. KHAN,

Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

LOCAL GOVERNMENT DEPARTMENT

Section IX

NOTIFICATION

No. LG/S-IX/1U-12/60/1356—3rd October 1961—In exercise of the powers conferred by sub-section (2) of section 121, read with section 20 and item 4(*c*) of the Fourth Schedule of the Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960), and in supersession of this Department notification No. HSLG/S-VIII/3R-66/60/225, dated the 16th November 1960, the Governor is pleased to make the following rules, namely:

THE EAST PAKISTAN MUNICIPAL COMMITTEES (CO-ORDINATION OF ACTIVITIES OF UNION COMMITTEES) RULES, 1961

1. **Short title and commencement**—(*1*) These rules may be called the East Pakistan Municipal Committees (Co-ordination of Activities of Union Committees) Rules, 1961.

(2) They shall come into force at once.

2. **Definitions**—Unless there is anything repugnant in the subject or context, thee words and expressions used in these rules shall have the same meaning as are respectively assigned to them in section 3 of the Municipal Administration Ordinance, 1960 (hereinafter referred to as the Ordinance).

3. **Territorial sub-committee**—A Union Committee shall be a territorial sub-committee of the Municipal Committee, and in the administration of municipal affairs of special interest to the inhabitants of a Union, a Municipal Committee shall, as far as may be, act in consultation with the Union Committee.

4. **Co-ordination**—Subject to the provisions of the Basic Democracies Order, 1959 and the rules made or directions given thereunder, a Municipal Committee shall co-ordinate the activities of all the Union Committees within the Municipality and may, among other things,—

(a) delegate to, or withdraw from, all or any of the Union Committees within the Municipality, by order in writing issued with the previous approval of the Controlling Authority, and subject to such terms and conditions as may be specified in the order, any of its functions under the Ordinance;

(b) formulate and assign to the Union Committees any scheme or issue instruction pertaining to the functions delegated to or undertaken by them;

(c) consider all schemes and proposals that may be referred by the Union Committees and advise or otherwise assist them in the manner as the Committee may think fit.

(d) obtain from time to time an account of the activities of a Union Committee and review generally the progress in the various sectors within a Union; and

(e) undertake such other co-ordinative functions as may be necessary for an integrated development of the Municipality.

5. **Union Finance**—(*1*) A Municipal Committee shall, with the approval of the Controlling Authority, from time to time, specify:—

(a) the expenditure which may be incurred by a Union Committee, and which shall be met by the Municipal Committee, direct;

(b) the expenditure which may be incurred by a Union Committee, and the whole or part of which shall be met by a grant from the Municipal Committee; and

(c) the expenditure which may be incurred by a Union Committee, and which shall be met by the Union Committee itself;

(2) Any funds required by a Union Committee to meet the expenditure under clause (*c*) of sub-rule (*1*), shall be raised by the voluntary contribution in such manner as may be approved by the Controlling Authority.

6. **Staff for the Union Committees**—For the performance by a Union Committee of its functions under the East Pakistan Union Committees (Function) Rules, 1961, as well as those delegated under preceding rule 4, the Municipal Committee shall, with the approval of the Controlling Authority, place the necessary staff at the disposal of the Union Committee.

7. Obligations of the Union Committees—A Union Committee shall, within the resources at its disposal, perform the functions and may exercise the powers delegated to it by the Municipal Committee under preceding rule 4 and shall be liable to obligations imposed by the Ordinance on the Municipal Committee in respect of such functions/powers.

By order of the Governor,

S. D. KHAN,

Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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PART VA—Martial Law Regulations and Orders promulgated by the President and Chief Martial Law Administrator in Pakistan

[Republished from the Gazette of Pakistan, Extraordinary, dated the 26th September 1961.]

GOVERNMENT OF PAKISTAN

Notification No. 875/61

MARTIAL LAW REGULATION

by

CHIEF MARTIAL LAW ADMINISTRATOR, PAKISTAN

No. 90

Whoever kidnaps from lawful guardianship any minor under fourteen years of age, if a male, or under sixteen years of age, if a female, shall be punished.

Maximum punishment—7 years R. I.

Explanation—

"Kidnap" and "lawful guardian", with their grammatical variations, have the same meaning, as in the Pakistan Penal Code.

MOHAMMAD AYUB KHAN, H.P., H.J.,
Field Marshal,
Supreme Commander and Chief Martial Law Administrator in PAKISTAN.

Place: RAWALPINDI.
Dated: 20th September 1961.

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GOVERNMENT OF EAST PAKISTAN
LOCAL GOVERNMENT DEPARTMENT
Section VIII
NOTIFICATION

No. LG/S-VIII/3R-66/61/404—5th October 1961—In pursuance of sub-rule (*1*) of rule 2 of the East Pakistan Municipal Fund (Custody and Investment) Rules, 1960 and in continuation of this Department notification No. LG/S-VIII/3R-66/61/313, dated the 16th August 1961, the Governor is pleased to notify also another Scheduled Bank, namely, the Eastern Mercantile Bank Ltd.", to be a Bank in which all moneys credited to the Municipal Fund may be kept under the said sub-rule.

By order of the Governor,
S. D. KHAN,
Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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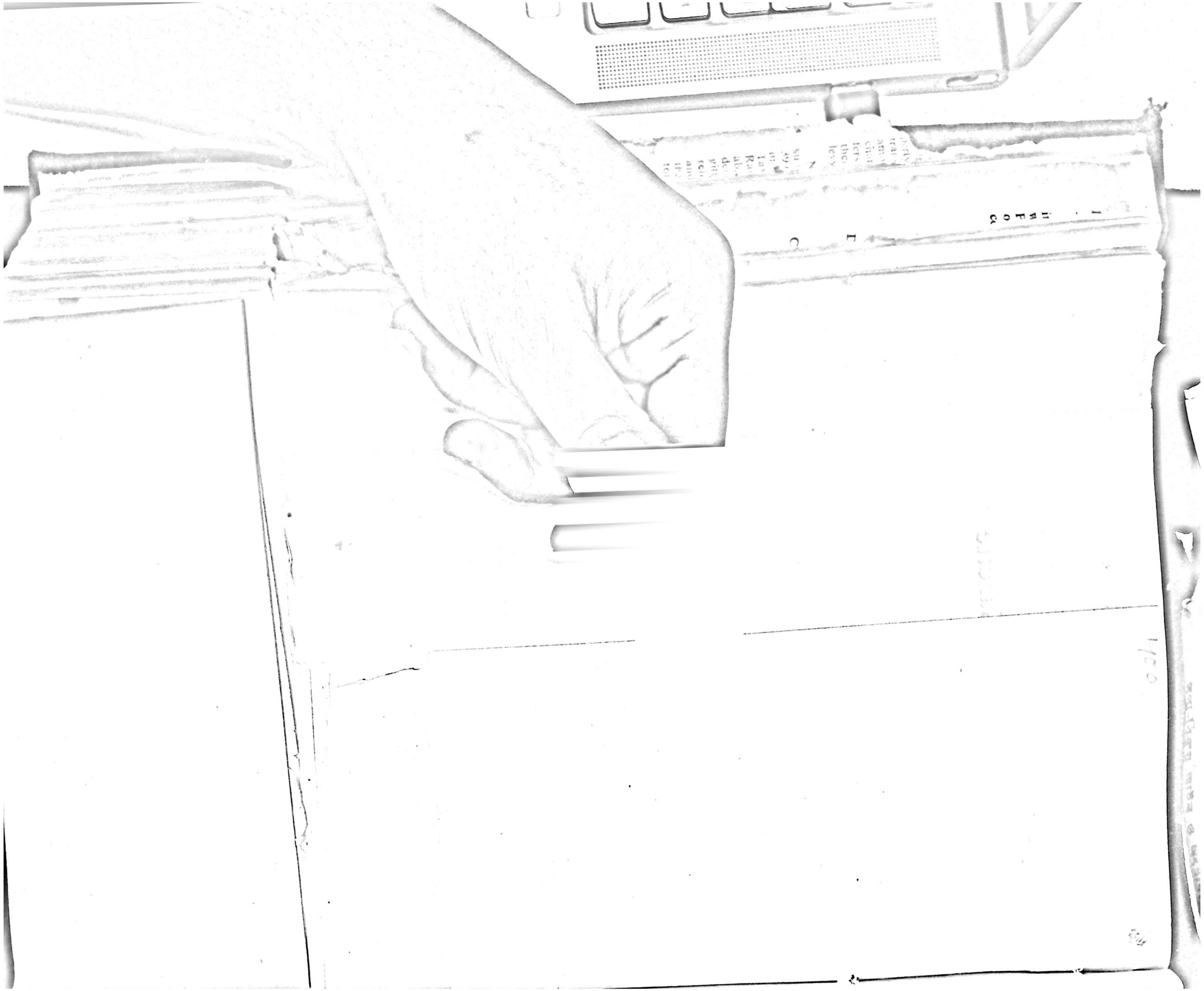

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NOTIFICATION

No. LG/S-VIII/3R-66/61/405—5th October 1961—In pursuance of sub-rule (*1*) of rule 2 of the East Pakistan Town Fund (Custody and Investment) Rules, 1960 and in continuation of this Department notification No. LG/S-VIII/3R-66/61/312, dated the 16th August 1961, the Governor is pleased to notify also another Scheduled Bank, namely, the "Eastern Mercantile Bank Ltd.", to be a Bank in which all moneys credited to the Town Fund may be kept under the said sub-rule.

By order of the Governor,
S. D. KHAN,
Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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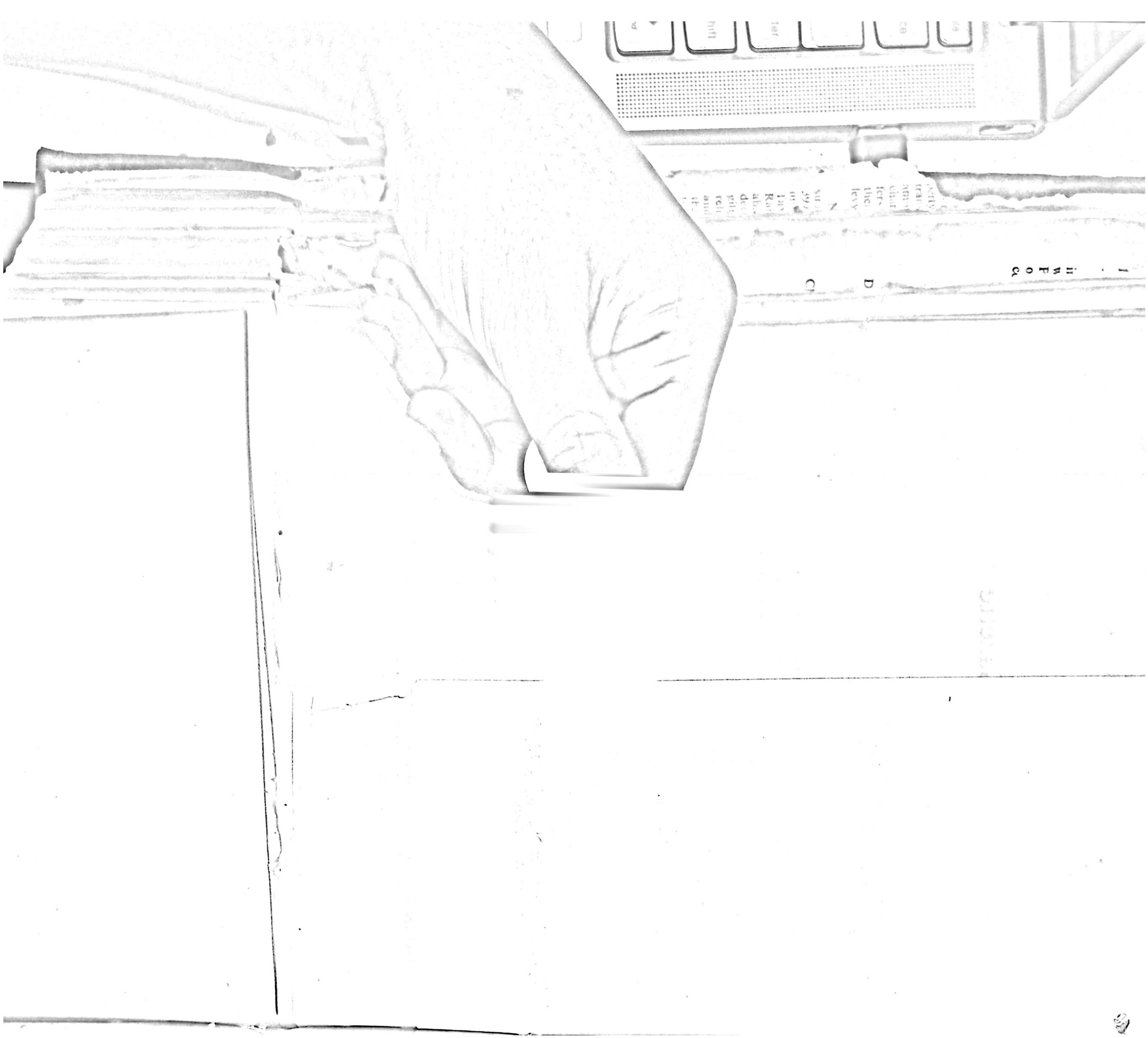

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LOCAL GOVERNMENT DEPARTMENT
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NOTIFICATION

No. LG/S-VIII/3R-66/61/406—5th October 1961—In pursuance of sub-rule (*1*) of rule 2 of the East Pakistan Union Fund (Custody and Investment) Rules, 1960 and in continuation of this Department notification No. LG/S-VIII/3R-66/61/311, dated the 6th August 1961, the Governor is pleased to notify also another Scheduled Bank, namely, the "Eastern Mercantile Bank Ltd.", to be a Bank in which all moneys credited to the Union Fund may be kept under the said sub-rule.

By order of the Governor,

S. D. KHAN,
Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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GOVERNMENT OF EAST PAKISTAN

LOCAL GOVERNMENT DEPARTMENT

Section VIII

NOTIFICATION

No. LG/S-VIII/3R-66/61/400—5th October 1961—In pursuance of sub-rule (*1*) of rule 4 of the East Pakistan District Fund (Custody and Investment) Rules, 1960 and in continuation of this Department notification No. LG/S-VIII/3R-66/61/317, dated the 16th August 1961, the Governor is pleased to approve also another Scheduled Bank, namely, the "Eastern Mercantile Bank Ltd.", for the purpose of investment of the District Fund under the said sub-rule.

By order of the Governor,

S. D. KHAN,

Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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GOVERNMENT OF EAST PAKISTAN
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NOTIFICATION

No. LG/S-VIII/3R-66/61/401—5th October 1961—In pursuance of sub-rule (*1*) of rule 4 of the East Pakistan Municipal Fund (Custody and Investment) Rules, 1960 and in continuation of this Department notification No. LG/S-VIII/3R-66/61/316, dated the 16th August 1961, the Governor is pleased to approve also another Scheduled Bank, namely, the "Eastern Mercantile Bank Ltd.", for the purpose of investment of the Municipal Fund under the said sub-rule.

By order of the Governor,
S. D. KHAN,
Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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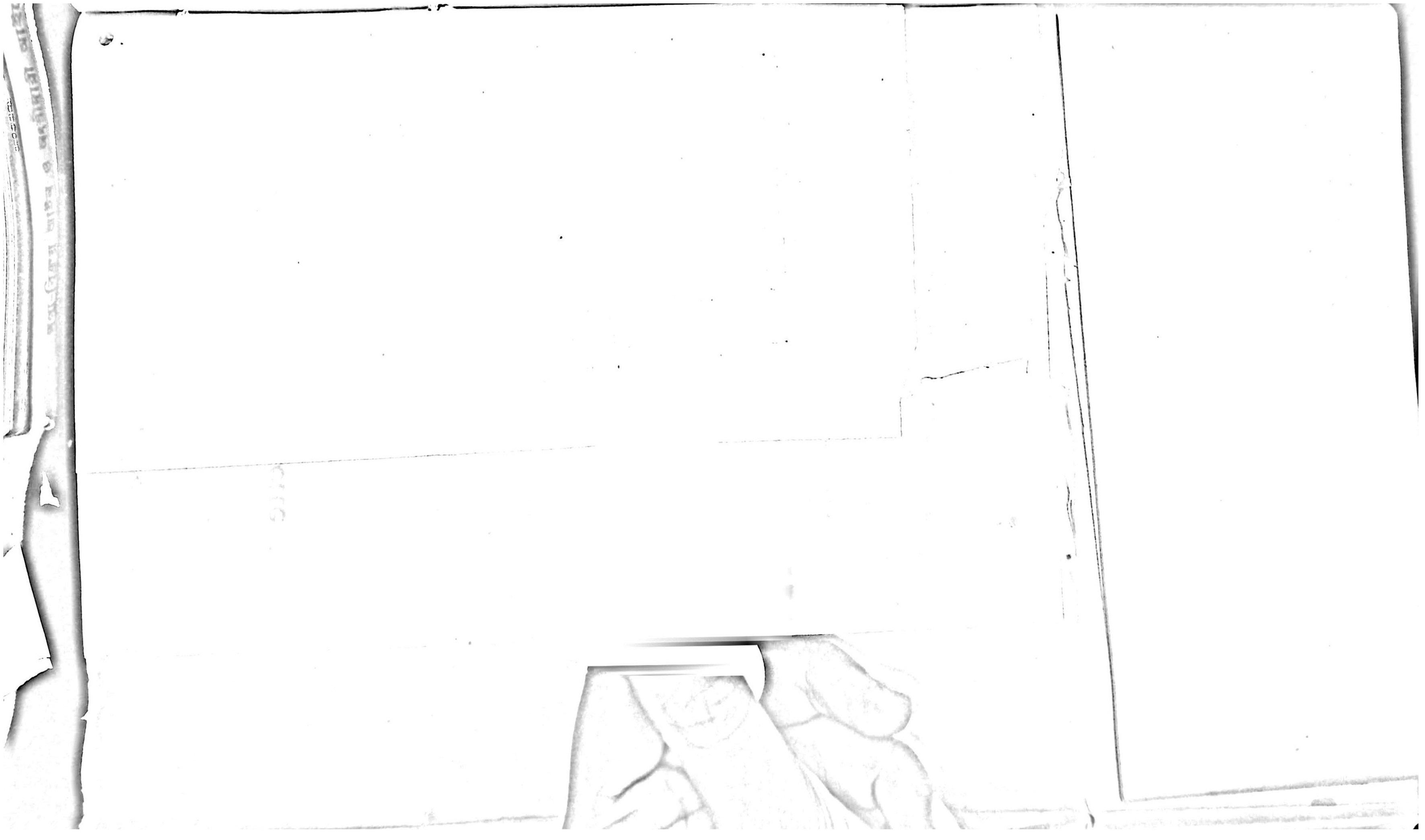

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GOVERNMENT OF EAST PAKISTAN

LOCAL GOVERNMENT DEPARTMENT

Section VIII

NOTIFICATION

No. LG/S-VIII/3R-66/61/402—5th October 1961—In pursuance of sub-rule (*1*) of rule 4 of the East Pakistan Town Fund (Custody and Investment) Rules, 1960 and in continuation of this Department notification No. LG/S-VIII/3R-66/61/315, dated the 16th August 1961, the Governor is pleased to approve also another Scheduled Bank, namely, the "Eastern Mercantile Bank Ltd.", for the purpose of investment of the Town Fund under the said sub-rule.

By order of the Governor,
S. D. KHAN,
Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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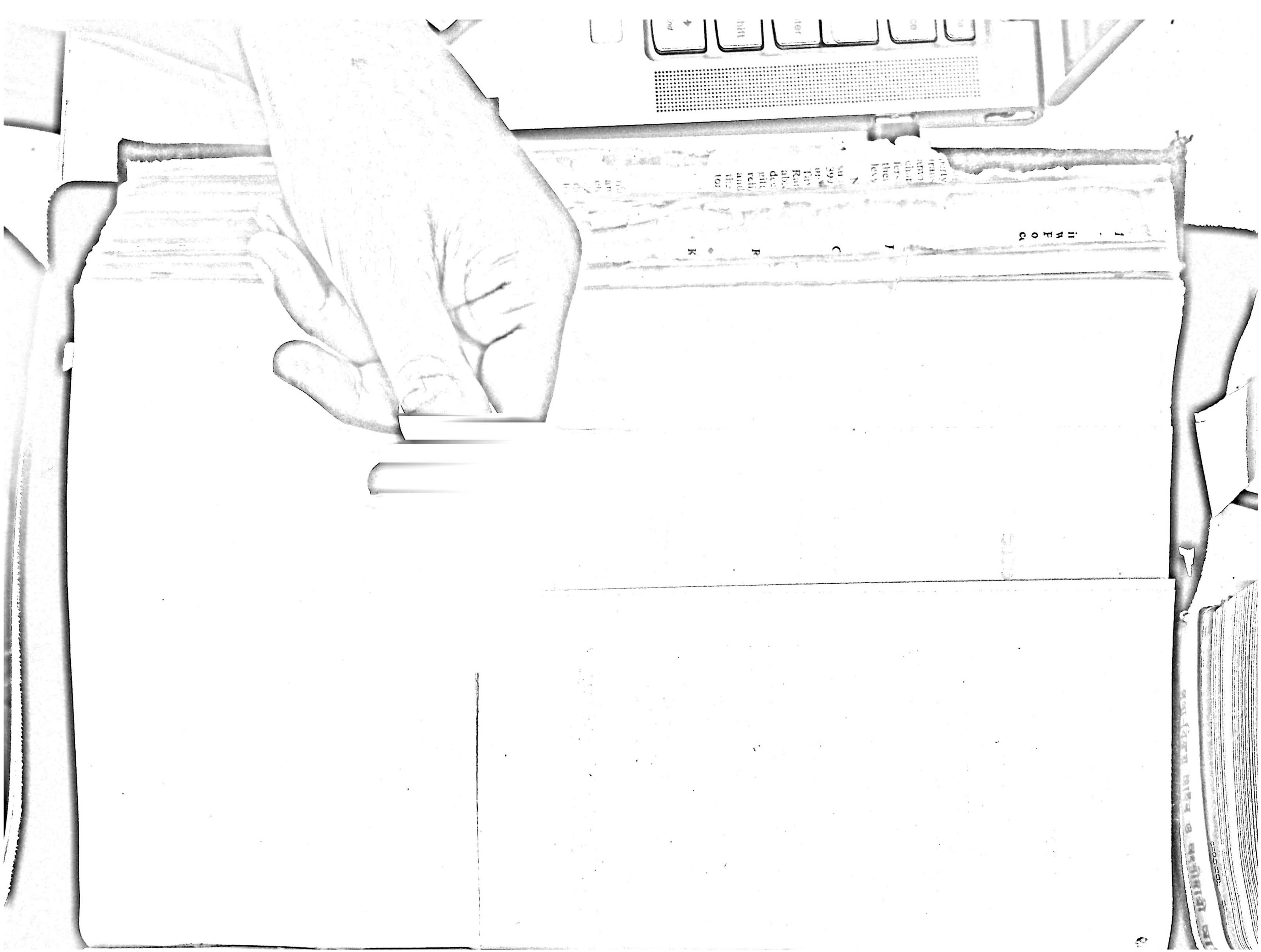

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

SATURDAY, OCTOBER 7, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

LOCAL GOVERNMENT DEPARTMENT

Section VIII

NOTIFICATION

No. LG/S-VIII/3R-66/61/403—5th October 1961—In pursuance of rule 4 of the East Pakistan Union Fund (Custody and Investment) Rules, 1960, and in continuation of this Department notification No. LG/S-VIII/3R-66/61/314, dated the 16th August 1961, the Governor is pleased to approve also another Scheduled Bank, namely, the "Eastern Mercantile Bank Ltd.", for the purpose of investment of the Union Fund under the said rule.

By order of the Governor,

S. D. KHAN,

Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

1911

Gazette

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1961

of East Pakistan, the Administrator
t, Government Treasury, etc.
AKISTAN
RS OF DIVISIONS
on
ADAR SOUTH, CHITTAGONG

s under clause (*1*) of Article 60 of the Basic
ion Councils of taxes, rates, tolls and fees)
r clause (*2*) of Article 93 of the said Order,
I. Tabaruk Hussain, Subdivisional Officer,
the Union Councils of this subdivision are
tioned in the schedule below during the year

nds (amount less than a rupee may be rounded

rly tax Rs.50·00.

or lessee of a market, bazar, theatre, cinema;

Practitioner—
imum yearly tax Rs.24·00.
Maximum yearly tax Rs.12·00.

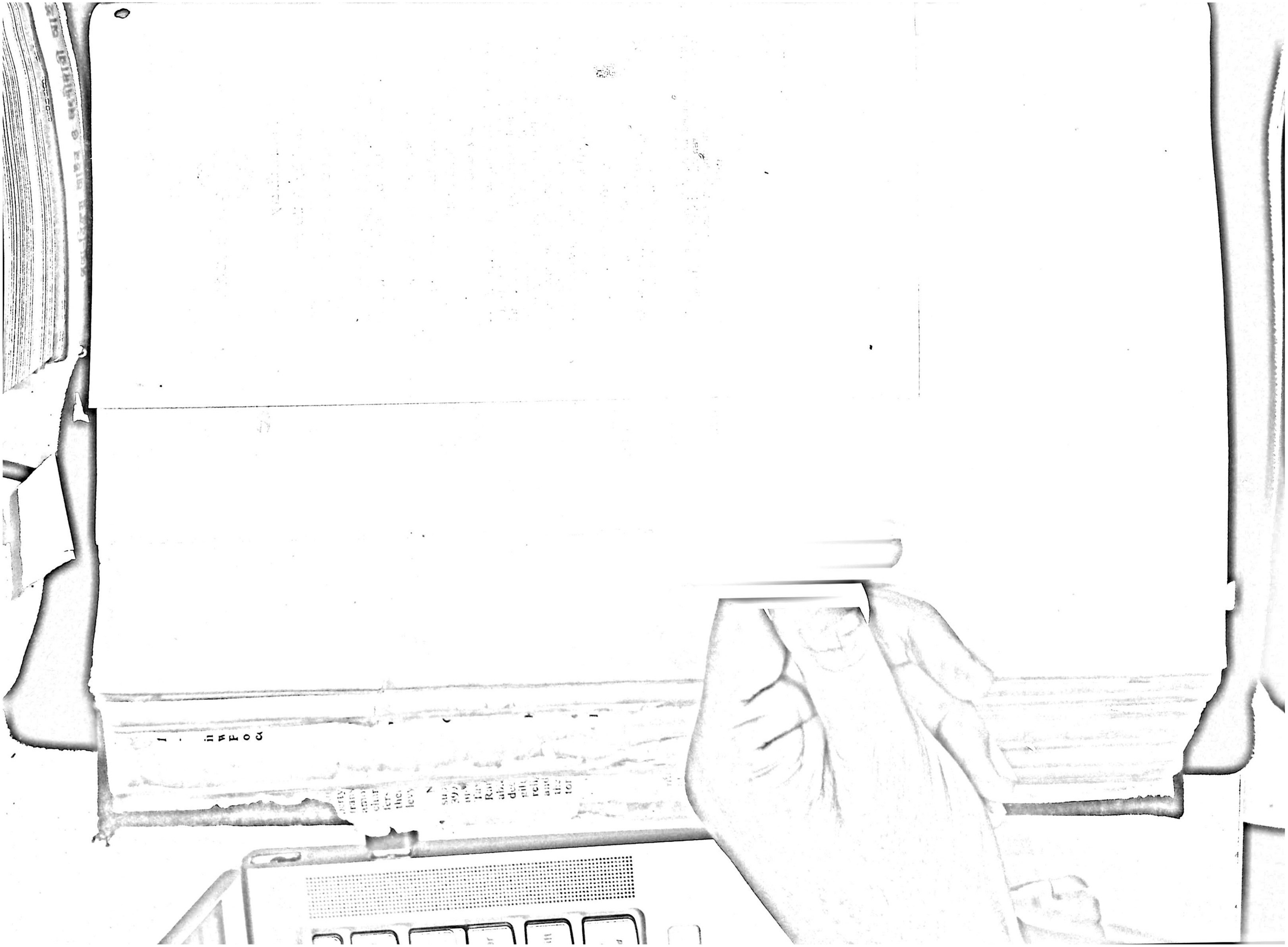
anufacturer and owner of any other mill or factory—

(a) in respect of whose income, income-tax is payable—Maximum yearly tax Rs.50·00.
(b) in respect of whose income, income-tax is not payable—Maximum yearly tax Rs.25·00.

(5) Retail-trader, shop-keeper, boarding house-keeper, tea stall-keeper, eating house-keeper, owner of hair dressing saloon and launderers—Maximum yearly tax Rs.6·00.

	Maximum yearly tax.
	Rs.
(6) (a) Owner of scooter (for hire)	10·00.
(b) Owner of taxi (for hire)	15·00.
(c) Owner of bus (for hire)	30·00.
(d) Owner of truck (for hire)	30·00.
(e) Owner of launch (for hire)	50·00.
(f) Owner of steamer (for hire)	50·00.

(7) Any person having any profession, trade or calling (other than those mentioned in items 1 to 6 above and not being an agriculturist) and having an income of Rs.2,400·00 or more per annum—
(a) in respect of whose income, income-tax is payable—Rs.24·00.
(b) in respect of whose income, income-tax is not payable—Rs.12·00.



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PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

ORDERS BY THE COMMISSIONERS OF DIVISIONS

Chittagong Division

OFFICE OF THE SUBDIVISIONAL OFFICER, SADAR SOUTH, CHITTAGONG

NOTIFICATION

No. 2555 G—25th September 1961—In exercise of the powers under clause (*1*) of Article 60 of the Basic Democracies Order, 1959 (regarding sanction of levy by the Union Councils of taxes, rates, tolls and fees) delegated to me by the Commissioner, Chittagong Division, under clause (*2*) of Article 93 of the said Order, *vide* notification No. 1929 G, dated 11th May 1961, I, A. M. M. Tabaruk Hussain, Subdivisional Officer, Chittagong Sadar South subdivision, do hereby notify that the Union Councils of this subdivision are authorised to levy all or any of the taxes, rates and fees mentioned in the schedule below during the year 1961-62.

Schedule

1. **Tax on the annual value of buildings and lands—**

Maximum 5 per centum of the annual value of buildings and lands (amount less than a rupee may be rounded off to a rupee).

2. **Tax on professions, trades and callings—**

(1) Company, contractors and contractors firms—Maximum yearly tax Rs.50·00.

(2) Merchant, money-lenders, bankers, whole sale traders, owner or lessee of a market, bazar, theatre, cinema; or commision agent, aratder—Maximum yearly tax Rs.50·00.

(3) Architect, Engineer, Medical Practitioner, Dentist and Legal Practitioner—

(a) in respect of whose income, income-tax is payable—Maximum yearly tax Rs.24·00.

(b) in respect of whose income, income-tax is not payable—Maximum yearly tax Rs.12·00.

(4) Paddy-huskers, rice or flour miller, brick or other ceramic manufacturer and owner of any other mill or factory—

(a) in respect of whose income, income-tax is payable—Maximum yearly tax Rs.50·00.

(b) in respect of whose income, income-tax is not payable—Maximum yearly tax Rs.25·00.

(5) Retail-trader, shop-keeper, boarding house-keeper, tea stall-keeper, eating house-keeper, owner of hair dressing saloon and launderers—Maximum yearly tax Rs.6·00.

	Maximum yearly tax. Rs.
(6) (a) Owner of scooter (for hire)	10·00.
(b) Owner of taxi (for hire)	15·00.
(c) Owner of bus (for hire)	30·00.
(d) Owner of truck (for hire)	30·00.
(e) Owner of launch (for hire)	50·00.
(f) Owner of steamer (for hire)	50·00.

(7) Any person having any profession, trade or calling (other than those mentioned in items 1 to 6 above and not being an agriculturist) and having an income of Rs.2,400·00 or more per annum—

(a) in respect of whose income, income-tax is payable—Rs.24·00.

(b) in respect of whose income, income-tax is not payable—Rs.12·00.

3. **Tax on marriages and feasts—**

Marriages—A tax on marriages may be levied at the rates noted below—

(a) first marriage, or marriage after death of wife—Rs.2·00.
(b) for every second marriage during the life time of first wife—Rs.100·00.
(c) for every third marriage during the life time of first two wives—Rs.250·00.
(d) for every fourth marriage during the life time of three wives—Rs.500·00.

Unless the existing wife or wives are insane or permanently invalid or childless in which case tax shall be Rs.2·00 (two) only.

Feasts—A tax on any feast excepting those connected with Fateha, Chahlum or Sraddha ceremony or community feeding of harvesting labourers may be levied at the following rates—

(i) Up to 50 guests (excluding members of family)—No tax.
(ii) For the next 51 to 100 guests (excluding members of family)—Rs.5·00.
(iii) Thereafter for every hundred or part of 100 guests—Rs.15·00.

4. **Tax on vehicles—**

Tax on different classes of vehicles and carriage may be levied in each case at the rate shown below—

	Maximmm annual tax. Rs.
(a) *Vehicles*—	
Cycle-rickshaw (hire)	15·00.
Cycle-rickshaw (private)	4·00.
Four wheeled carriage	12·00.
Two wheeled carriage	8·00.
Bullock or buffalo cart	5·00.
Hand cart	2·00.
Bi-cycle	3·00.

(b) *Boats*—

All kinds of boats kept or used in the ordinary course of business within a Union shall be registered with the Union Council on payment of a fee of Re.1·00 per boat towards the cost of registration which shall be done only once and need not be renewed.

Upon registration, the Union Council may levy an annual tax on boats for hire or for carrying goods and fishing boats excepting small boats, dinghies and dongas which carrying capacity of 25 maunds and below. The maximum annual tax shall be as follows—

Boats for hire—

	Maximum annual tax per boat. Rs.
(i) With one oar or paddle	2·00.
(ii) With two oars or paddles	6·00.
(iii) With threee oars or paddles or more	10·00.
Cargo boats—	
(i) Up to 100 maunds capacity	6·00.
(ii) Above 100 maunds and up to 500 maunds	10·00.
(iii) Above 500 maunds	20·00.
Fishing boats—	
(i) Small	5·00.
Medium	10·00.
(ii)	20·00.
(iii) Big	

5. **Rate for the remuneration of village police—**

Maximum 3 per cent. on the annual value of buildings and lands.

6. **Rate for the execution of any work of public utility—**

In such cases only the capital cost of the work or part thereof, as may be decided by the Council is to be recovered from the beneficiaries concerned at a rate not exceeding 2 per cent. of the annnal value of their buildings and lands.

7. **Fees for markets—**

Such fees may be levied at a rate not exceeding five per centum of the bid money of the Ijaradars or gross income of the owner or proprietor of the market.

8. **Fees for licences, sanctions and permits granted by the Union Councils—**

Rs.2·00 (two) may be realised per licence and per permit granted by the Union Council.

9. **Fees for specific services rendered by a Union Council—**

Fee in such cases may be realised at a rate not exceeding 2 per cent. of the annual value of the buildings and lands of beneficiaries.

10. **Fees for slaughter of animals—**

This fee may be levied on slaughters for commercial or business purposes only and at rates mentioned below—

For every goat or sheep—25 paisa.
For every cow, bullock or heifar—Rupee one only.
For every buffalo—Rupees two only.

A. M. M. TABARUK HUSSAIN,
Subdivisional Officer, Sadar South, Chittagong.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

ORDERS BY THE COMMISSIONERS OF DIVISIONS

Chittagong Division

DISTRICT COMILLA

OFFICE OF THE DEPUTY COMMISSIONER, COMILLA

NOTIFICATION

No. 913 BD.—September 1961—Maulana Ashraf Ali, sson of Munshi Wajed Ali, appointed member of Nasirnagar Thana Council, having tendered his resignation under Article 25 (*1*) of the Basic Democracies Order, 1959, read with rule 2 (*1*) of the East

3. Tax on marriages and feasts—

Pakistan Local Council (Resignation and Removal of Members) Rules, 1960, and his resignation having been accepted, I, K. M. M. Hossain, Collector of Comilla, as the Controlling Authority, do hereby notify under Article 26 of the Basic Democracies Order, 1959, read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959 that the seat of the said appointed member in the Nasirnagar Thana Council has become vacant with effect from 17th September 1961.

K. M. M. HOSSAIN,
Deputy Commissioner.

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TUESDAY, OCTOBER 10, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME DEPARTMENT

Political

Section I

NOTIFICATION

No. 1053 Poll/S(I)—9th October 1961—Whereas it appears that the books and papers specified in the Schedule contain matters which tend to encourage or incite persons to interfere with the administration of law and maintenance of law and order;

And whereas the said books and papers contain matters which tend to bring into hatred or contempt the Government established by law and a certain section of the citizens of Pakistan and to excite disaffection towards Government;

Now, therefore, in exercise of the powers conferred by section 36 of the Press and Publication Ordinance, 1960 (Ordinance No. XV of 1960), the Governor is pleased to declare all copies of the said books and papers described in the Schedule below and all other documents containing copies, re-prints, translation or extracts therefrom, wherever found, to be forfeited to the Government.

The schedule

(1) Bengali leaflet captioned "আমাদের ধর্মীয় কর্তব্য", published by Maulana Nur Muhammad Azmi, and printed at Oriental Press, 13, Karkunbari Lane, Dacca.

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(2) Urdu leaflet captioned "ہمارا مذہبی فریضہ" published by Maulana Nur Muhammad Azmi and printed at Oriental Press, 13, Karkunbari Lane, Dacca.

(3) English pamphlet captioned "Joint Statement of 54 Islamic Thinkers of Pakistan on Muslim Family Law Ordinance, 1961, published by S. Ahmed, 52, Shamibagh Road, Dacca and printed at the Baliadi Printing Works, 137, Bangshal Road, Dacca.

(4) Urdu pamphlet captioned "مسلم فیملی لاز ارڈیننس پر پچاس ممتاز علمائے کرام تبصرہ" published by Maulana Nur Muhammad Azmi (Noakhali) and printed at Arefin Press, Dacca.

(5) Bengali pamphlet captioned "মুসলিম পারিবারিক আইন অর্ডিন্যান্স সম্পর্কে আলেম সমাজের অভিমত", published by Muhammad Shamsul Huq, Shahi Musjid, Lalbagh and printed by M. A. Rahim, Oriental Press, 13, Karkunbari Lane, Dacca.

(6) Bengali pamphlet captioned "মুসলিম পারিবারিক আইন অর্ডিন্যান্স সম্পর্কে আলেম সমাজের অভিমত", published by Akbar Ali, Imam, Dargha Musjid, Sylhet.

By order of the Governor,

S. Z. KHAN,

Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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The Dacca Gazette

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PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. FD(G)/Con-5/61/668—7th October 1961—In pursuance of the Presidential Proclamation of the seventh day of October 1958, and in exercise of all powers enabling him in that behalf, the Governor of East Pakistan is pleased to make the following amendment in the rules regulating the recruitment to the various subordinate services and posts in the Directorates and Subordinate and other Mufussil offices under the Food Department, Government of East Pakistan (hereinafter referred to as the said rules), published under notification No. FD/Estb-I/4R-12/60/376, dated the 28th July 1960, namely:—

Amendments

1. In the schedule II to the said rules below the existing item "13" the following new item shall be *added*, namely:—

Name of post.	Method of recruitment.	Qualifications required.	Age limit.
14. Cashier in the office of Accounts-*cum*-Budget Officer, Food.	(1) By promotion from Assistant Accountant.	(1) (a) Merit. (b) At least 5 years' experience as Assistant Accountant.	(1) No age limit.
	or		
	(2) By direct recruitment (if no suitable person is available for recruitment by promotion).	(2) University Degree in Commerce. Experience in Accounts in a Government office or in a reputable commercial firm will be an additional qualification. (b) Must be able to furnish requisite security in cash.	(2) Age must be between 22 and 25 years, relaxable in the case of a well experienced candidate.

By order of the Governor,
S. H. ALI,
Dy. Secy. to the Govt. of East Pakistan.

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WEDNESDAY, OCTOBER 11, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

RESOLUTION

No. 737 FD(Int.)—11th October 1961—The Government of East Pakistan have been pleased to constitute a Committee to be known as the "East Pakistan Sugar Enquiry Committee, 1961", with the following personnel:

(1) Mr H. Haider, C. S. P., Commissioner, Co-operative Societies and Agriculture, Government of East Pakistan—*Chairman.*

Members.

(2) Mr S. A. Khair, C. S. P., Secretary, Finance Department, Government of East Pakistan.

(3) Mr M. A. K. Iqbal, C.S.P., Director-General, Industries, Trade and Supply, Government of East Pakistan.

(4) Dr A. Rahim Chawdhry, Director of Agriculture, Government of East Pakistan.

(5) Mr S. H. Ali, Deputy Secretary, Food Department, Government of East Pakistan—*Member-Secretary.*

2. The following shall be the terms of reference of the Committee—

(a) To suggest steps to be taken to ensure better management and greater efficiency of the sugar mills.

(b) To go into the difficulties of sugar mills with regard to their machinery, spare parts and other technical problems and to suggest remedial measures.

(c) To ascertain the problems of the sugarcane growers and suggest steps to be taken to solve them and recommend measures to be taken to ensure better co-operation between the growers and the mill-management.

(d) To go into the acreage, yield and quality of sugarcane grown in East Pakistan, particularly in sugar mill areas and suggest steps to be taken to ensure production of improved, early, medium and late varieties of sugarcane through the co-ordinated efforts of the mills and the growers so that the maximum crushing capacity of sugar mills can be utilised by maintaining an even flow of adequate cane supply to the mills throughout the crushing season.

(e) To examine the principles of the zoning system and suggest modification, if necessary.

(f) To go into the problems relating to the speedy transport of sugarcane to the mills including the problems of construction and maintenance of roads and bridges in sugar mill areas and suggest remedial measures.

(g) To examine whether sugarcane cess is being used for the upkeep of the roads in the mill areas and suggest, if necessary, steps to be taken for proper utilisation of the same.

(h) To examine the adequacy or otherwise of the provisions of existing law relating to the restrictions on the movement of sugarcane, khandsari and gur and manufacture of gur and khandsari.

(i) To examine the working of the sugarcane farms in East Pakistan and suggest steps for improvement, if any, and

(j) Any matter concerning the Sugar Industry and cultivation of sugarcane.

3. The Committee is empowered to call for any information or report from any sugar mill or any person, organisation or institution and summon and examine any person as witness at any place, time and date fixed by the Committee at its discretion.

4. The Committee is empowered to co-opt any expert temporarily as a member to assist the Committee on technical matters.

5. Ordered that the Resolution be published in the *Dacca Gazette* immediateiy for general information and that copies thereof be sent to the members of the Committee, to all sugar mills in East Pakistan, to all Government Departments and Officers concerned.

By order of the Governor,
G. AHMED,
Secy. to the Govt. of East Pakistan.

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Extraordinary

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FRIDAY, OCTOBER 13, 1961

PART VA—Martial Law Regulations and Orders promulgated by the President and Chief Martial Law Administrator in Pakistan.

[*Republished from the Gazette of Pakistan, Extraordinary, dated the 29th September 1961.*]

GOVERNMENT OF PAKISTAN

Notification No. 901/61

MARTIAL LAW REGULATION

by

CHIEF MARTIAL LAW ADMINISTRATOR, PAKISTAN

No. 91

Martial Law Regulation No. 89 is hereby amended in the following manner:—

1. In Martial Law Regulation No. 89, in the preamble *for* the word "manner" the words "modified form" shall be *substituted*.

2. In the said Regulation, in paragraph 5 in the Explanation, after the figures "1958" a comma and the following words shall be added, namely:—

", but where a claim has been withdrawn or where the claimant has not submitted the written statement under paragaph 3 of the Original Regulation, such entitlement shall be nil, or where the claim has been reduced under the said paragraph, it shall mean entitlement as determinable under the said schemes on the basis of such reduced claim, but nothing herein shall be construed as increasing the entitlement of any claimant who had increased his claim under the said paragraph".

3. In the said Regulation in paragraph 9 after the words "always to have vested" the words "free of encumbrances" shall be inserted.

4. In the said Regulation, paragraph 13 shall be renumbered as sub-paragraph (1) of that paragraph, and in that sub-paragraph for the words "This Regulation" the words and figure "Paragraph 5 of this Regulation" shall be substituted, and after sub-paragraph (1) as so renumbered, the following new sub-paragraph (2) shall be added, namely:—

"(2) Notwithstanding the provisions of sub-paragraph (1) of paragraph 7, in the case of such claims as aforesaid entitlement certificates issued in Form QPR-V and UR-V shall stand; but where a claim has been reduced under the Original Regulation, fresh entitlement shall be determined in accordance with such reduced claim, and where such claim has been withdrawn under the Original Regulation or where the claimant has not submitted the written statement under paragraph 3 of the Original Regulation, the entitlement shall be nil".

MOHAMMAD AYUB KHAN, H.P., H.J.,
Field Marshal,
Supreme Commander and Chief Martial Law
Administrator in PAKISTAN.

Place: RAWALPINDI.
Dated: 25th September 1961.

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In-charge, East Pakistan Government Press, Dacca.

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GOVERNMENT OF EAST PAKISTAN

ORDERS BY THE COMMISSIONERS OF DIVISIONS

Rajshahi Division

DISTRICT RANGPUR

OFFICE OF THE SUBDIVISIONAL OFFICER, GAIBANDHA

NOTIFICATION

No. 10 B.D.—9th October 1961—In exercise of the powers conferred by Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 43 of the Basic Democracies (Conduct

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omulgated by the

Law Zone 'C' Order
Martial Law in East

y orders No. 125,

Court. The Public Prosecutor, Dacca, is appointed to conduct the case for Government.

President

(1) Additional Deputy Commissioner, Dacca.

1927

Retd Major OSMAN HASAN

1929

of Eleection) Rules, 1959, I, Mohammed Ali, C.S.P., Subdivisional Officer, Gaibandha, as the Controlling Authority, hereby notify that the person noted below has been appointed under Article 21 of the said Order to the Union Council, as noted below:

Name of Union Council.	P. S. Gaibandha Name of person appointed.
Malibari ..	1. Mvi. Nayebuddin Mia, son of Nesabuddin Mia, of Kachuarkhamar *in place of* Mvi. Nurul Huq Mia, son of Nayebuddin of Kachuarkhamar, since resigned as notified in the *Dacca Gazette, Extraordinary*, published on 16th February 1960 under notification No. 111BD., dated the 11th February 1960.

MOHAMMED ALI, C. S. P.,
Subdivisional Officer, Gaibandha.

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MONDAY, OCTOBER 16, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

WORKS DEPARTMENT

Transport

RESOLUTION

No. WTC/5C-4/61/634—12th October 1961—*Read* Unofficial notes No. 28, dated 3rd October 1961, from the Principal Officer, Mercantile Marine Department, Chittagong. In accordance with the provisions of section 33 of the Inland Mechanically Propelled Vessels Act (I of 1917), the Governor is pleased to appoint a Special Court of Enquiry for the purpose of making an investigation into the circumstances attending the capsizing of M. L. "SALEHA" at Shatnal on 16th February 1961 in the district of Dacca.

The gentlemen, named below, will constitute the Court. The Public Prosecutor, Dacca, is appointed to conduct the case for Government.

President

(1) Additional Deputy Commissioner, Dacca.

Read Major OSMAN HASAN

Members

(1) Mr M. J. Sayeed, Deputy Conservator and Harbour Master, Chittagong Port Trust, Chittagong.

(2) Mr Stevenson, Marine Superintendent Messrs Pakistan River Steamers Ltd., Dacca.

Assessors

(1) Mr L. M. Spaulding, Chief Conservancy and Pilot Superintendent, East Pakistan Inland Water Transport Authority, Dacca.

(2) Mr H. U. Chowdhury, Marine Superintendent, Messrs Pakbay Co., Narayanganj.

Order—Ordered that a copy of the Resolution be forwarded to the—

(1) Additional Deputy Commissioner, Dacca, for information and guidance.

(2) Principal Officer, Mercantile Marine Department, Chittagong, for information and guidance.

(3) Legal Remembrancer, East Pakistan, for information and for communication to the Public Prosecutor, Dacca, for information and necessary action.

By order of the Governor,
M. H. CHOUDHURY,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca

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MONDAY, OCTOBER 16, 1961

PART IIIB—Martial Law Regulations, Orders, etc., promulgated by the Administrator, Martial Law in East Pakistan.

LAW DEPARTMENT

NOTIFICATION

No. 750 L.—16th October 1961—The following Martial Law Zone 'C' Order made by the Commander, 14 Division and Administrator, Martial Law in East Pakistant, is hereby published for general information:

MARTIAL LAW ZONE 'C' ORDERS

Order No. 128

1. Martial Law Zone 'C' Order No. 124 as amended by orders No. 125, 126 and 127 is further amended as under:—

a. Against Special Military Court No. 1—
For 'Lt Col M NASARULLAH KHAN'
Read 'Lt Col BASHIR AHMED KHAN'

b. Against Special Military Court No. 4—
For 'Lt Col SYED MAHMOOD HUSAIN'
Read 'Lt Col S M H RAZVI'
For 'Major MOHD AKBAR'
Read 'Major MALIK MOHAMMAD SHARIF'

c. Against Summary Military Court No. 3—
For 'Major USMAN HUSSAIN'
Read 'Major USMAN HASAN'

d. Against Summary Military Court No. 8—

For 'Major MOHD AKBAR'

Read 'Major MALIK MOHAMMAD SHARIF'

2. Summary Military Court No. 9, presided over by Major MOHD ASLAM, is constituted to try cases as directed by Sub-Administrator, Martial Law, RAJSHAHI and KHULNA Division less BAKERGANJ District.

Place: DACCA CANTT.
Dated: *10th October 1961.*

KHAWAJA WASIUDDIN, *Brigadier*,
Martial Law Administrator, Zone 'C'
(East Pakistan).

By order of the Administrator,
Martial Law, Zone 'C'
(East Pakistan),

M. A. AMEEN,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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The Dacca Gazette

Extraordinary

Published by Authority

MONDAY, OCTOBER 16, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

AGRICULTURE DEPARTMENT

NOTIFICATION

No. CORD. 14/61/XV(C)—16th October 1961—In exercise of the powers conferred by sections 5 and 6 of the East Pakistan Agricultural Development Corporation Ordinance, 1961 (East Pakistan Ordinance No. XXXVII of 1961), the Governor is pleased to constitute the Board of Directors of the East Pakistan Agricultural Development Corporation and to appoint the Directors (including the Chairman and the Financial Director) of the said Corporation as follows:

Whole-time Directors

(1) Mr W. B. Kadri, C.S.P. (at present Commissioner, Dacca Division)—*Chairman.*

d. Against Summary

For 'Major MOHD

Read 'Major MALI

2. Summary Military is constituted to try ca: RAJSHAHI and KHUL

Place: DACCA CANT
Dated: *10th October 19*

(2) Mr A. M. A. Kabir, P.S.P. (at present Deputy Inspector-General of Police, Intelligence Branch, East Pakistan).

(3) Lt.-Col. S. A. Rahim (at present Director-General, Food and Agriculture, East Pakistan).

(4) Major Raza Ali (at present Officer On Special Duty, Ministry of Food and Agriculture, Government of Pakistan)—*Financial Director.*

Ex-officio Director

(5) The Registrar of Co-operative Societies, East Pakistan.

The appointment of the whole-time Directors shall take effect from the dates on which they assume charges of their duties.

By order of the Governor,
H. HAIDER.
Commissioner,
Co-operative Societies and Agriculture and ex-officio Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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PART IIIA—Ordinances promulgated by the Governor of East Pakistan

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XXXVII of 1961

THE EAST PAKISTAN AGRICULTURAL DEVELOPMENT CORPORATION ORDINANCE, 1961

AN

ORDINANCE

to establish an Agricultural Development Corporation for the purpose of increasing agricultural production in East Pakistan.

Whereas it is expedient to establish an Agricultural Development Corporation for the purpose of increasing agricultural production in East Pakistan;

Now, therefore, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and having received a direction in that behalf under clause (*2*) of Article 5 of the Laws (Continuance in Force) Order, 1958, from the President, the Governor is pleased, in exercise of all powers enabling him in that behalf, to make and promulgate the following Ordinance, namely:— P. O. No. 1 of 1958.

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement—(*1*) This Ordinance may be called the East Pakistan Agricultural Development Corporation Ordinance, 1961.

(*2*) It extends to the whole of East Pakistan.

(*3*) It shall come into force at once.

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

(a) "Board" means the Board of Directors of the Corporation;

(b) "co-operative society" has the same meaning as in the Bengal Co-operative Societies Act, 1940; Ben. Act XXI of 1941.

(c) "Corporation" means the East Pakistan Agricultural Development Corporation established under section 3;

(d) "Chairman" means the Chairman of the Corporation ;

(e) "Director" means a Director of the Corporation;

(f) "officer" means an officer of the Corporation other than the Chairman or a Director ;

(g) "prescribed" means prescribed by rules ;

(h) "project" means a project prepared under Chapter V or Chapter VI ;

(i) "Project Area" means an area which is declared to be a Project Area under section 23 ;

(j) "Project Director" means the officer in executive charge of a project ;

(k) "regulations" means regulations made under this Ordinance ; and

(l) "rules" means rules made under this Ordinance.

CHAPTER II

ESTABLISHMENT, MANAGEMENT AND ORGANIZATION OF THE CORPORATION

3. Establishment and incorporation—(*1*) As soon as may be after the commencement of this Ordinance, the Provincial Government shall establish a corporation to be called the East Pakistan Agricultural Development Corporation.

(*2*) The Corporation shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Ordinance, to acquire and hold property, both movable and immovable, and shall by the said name sue and be sued.

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

(2) The Board in discharging its functions shall be guided on questions of policy by such directions as the Provincial Government, either of its own motion or at the instance of the Central Government, may from time to time, give, and the Government shall be the sole judge as to whether a direction given to the Corporation is or is not on a question of policy.

(3) If the Board fails to comply with any direction given under sub-section (2), the Provincial Government may remove the Directors, including the Chairman, and, notwithstanding anything contained in section 5, appoint persons in their place temporarily until fresh appointments are made under that section :

Provided that the provisions of clause (a) of sub-section (3) of section 5, and sub-section (4) thereof, shall not apply to persons appointed temporarily under this sub-section.

5. Constitution of the Board—(1) The Board shall consist of—

(a) four wholetime Directors appointed by the Provincial Government ; and

(b) the Registrar of Co-operative Societies or Commissioner, Co-operative Societies and Agriculture, who shall be an *ex-officio* Director.

(2) The Provincial Government shall appoint one of the wholetime Directors to be the Financial Director who shall advise the Corporation on all financial matters.

(3) A Director shall—

(a) unless sooner removed by the Provincial Government, hold office for a term of five years, and may be re-appointed for such further period or periods as the Provincial Government may, from time to time, specify ;

(b) receive such salary and allowances as the Provincial Government may determine; and

(c) perform such duties as are assigned to him by this Ordinance or by the rules or regulations.

(4) Every person appointed as Director shall divest himself of any directorship or other interest held by him in any corporation, company or concern which has dealings with the East Pakistan Agricultural Development Corporation, other than corporations, whether statutory or not, and companies or concerns, sponsored by or on behalf of the Central or a Provincial Goverment, and co-operative societies:

Provided that the Provincial Government may permit a Director to retain the shares purchased by him before his assuming office as Director, and any shares purchased after the assumption of office shall be declared by him, as soon as the corporation, company or concern to which the shares relate starts dealings with the Corporation.

6. Appointment of Chairman—The Provincial Government shall appoint one of the Directors to be the Chairman, who shall be the chief executive of the Corporation.

7. Disqualifications and removal of Chairman and Directors—(*1*) No person shall be or shall continue to be a Director who—

(a) is or has at any time been convicted of an offence involving moral turpitude ; or

(b) is or has or at any time been adjudicated an insolvent ; or

(c) is found a lunatic or of unsound mind; or

(d) is or has at any time been disqualified for employment in, or dismissed from the service of the State; or

(e) is a minor.

(2) The Provincial Government may, by order in writing, remove the Chairman or a Director if he—

(a) refuses or fails to discharge or becomes, in the opinion of the Provincial Government, incapable of discharging his responsibilities under this Ordinance; or

(b) has, in the opinion of the Provincial Government, abused his position as Chairman or Director; or

(c) has knowingly acquired or continued to hold without the permission in writing of the Provincial Government, directly or indirectly, or through a partner, any share or interest in any contract or employment with or by or on behalf of the Corporation or in any land or property which, in his knowledge, is likely to benefit or has benefited as a result of the operations of the Corporation; or

(d) has absented himself from three consecutive meetings of the Board without the leave of the Provincial Government in the case of Chairman or of the Chairman in the case of a Director.

8. Appointment of officers, etc.—(*1*) The Corporation may appoint such officers, advisers and servants as it considers necessary for the efficient performance of its functions on such terms and conditions as it may deem fit.

(*2*) The Chairman may, in cases of urgency, appoint such officers, advisers or servants and on such terms and conditions as he thinks fit:

Provided that every such appointment shall be reported to the Board without unreasonable delay and shall not continue beyond six months unless approved by the Board.

9. Recruitment, conditions of service and disciplinary powers—(*1*) Procedure for the appointment of the officers and servants of the Corporation and the terms and conditions of their service shall be such as may be prescribed by regulations.

(*2*) Subject to rules and regulations, the Corporation shall be competent to take disciplinary action against its officers and servants.

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

Provided that the Board shall meet at least once in two months.

(*2*) To constitute a quorum at a meeting of the Board not less than three Directors shall be present.

(*3*) The meetings of the Board shall be presided over by the Chairman, and in the absence of the Chairman, by the Director authorized by him in writing in that behalf, or, in default of such authorization, by the person elected for the purpose by the Directors present from amongst themselves.

(*4*) Each Director, including the Chairman, shall have one vote, but in the event of equality of votes, the Chairman shall have a second or casting vote.

(*5*) The minutes of every meeting of the Board, stating among other things the names of the Directors present, shall be drawn up and recorded in a book to be kept for the purpose, and shall be signed by the person presiding at the meeting, and such book shall be open to inspection by the Directors.

11. Forwarding of agenda, etc., to Provincial Government—(*1*) The Chariman shall forward to the Provincial Government a copy each of the agenda, working papers and the minutes of every meeting of the Board within fifteen days of the date on which the meeting is held.

(2) The Provincial Government may require the Board to furnish—

(a) any returns, statements, estimates, statistics or other information regarding any matter under the control of the Corporation; or

(b) a report on any such matter;

and the Board shall comply with any such requisition without undue delay.

12. Delegation of powers—(1) The Board may delegate to the Chairman, or any Director or officer, any of its powers under this Ordinance or the rules or regulations.

(2) The Chairman may likewise delegate to any Director or officer any of his powers, under this Ordinance or the rules or regulations not being a power delegated to him by the Board under sub-section (1).

CHAPTER III

FUNCTIONS OF THE CORPORATION

13. Functions—(1) The Corporation shall—.

(a) make suitable arrangements throughout East Pakistan, on a commercial basis, for the procurement, transport, storage and distribution to agriculturists of essential supplies, such as seed, fertilizers, plant protection equipment, pesticides and agricultural machinery and implements:

Provided that some or any of such supplies may be free or subsidized with the previous approval in writing of the Provincial Government:

Provided further that, as far as practicable, these supplies shall be distributed through co-operative societies;

(b) promote the setting up of co-operative societies with a view to handing over to them its supply functions in accordance with a phased programme;

(c) encourage the development of co-operative societies in other spheres in which the Corporation is interested;

(d) if so directed by the Provincial Government, take over and manage, on such terms and conditions as may be specified by the Provincial Government, such seed multiplication and livestock breeding farms and fruit nurseries as are owned or managed by the Provincial Government; and

(e) assist, encourage and promote the manufacture of improved agricultural machinery and implements, but shall not itself undertake any such manufacture:

Provided that it shall, if so directed by the Provincial Government, take over, on such terms and conditions as may be specified by the Provincial Government, any concern owned or managed by the Provincial Government and engaged in such manufacture.

(*2*) In addition to the functions enumerated in sub-section (*1*), the Corporation may—

(a) give loans in kind, and if so directed by the Provincial Government, shall do so, for such purposes as may be prescribed by the regulations;

(b) assist, encourage, and promote the establishment of industries for the processing of agricultural produce, the formulating or manufacturing of insecticides, pesticides, fungicides or biologicals, or the manufacturing of cattle and poultry feed;

(c) organize the supply, maintenance and operation of lift-pumps and tubewells and set up light workshops for running repairs ;

(d) in consultation with the Provincial Government, encourage the expansion and improvement of industries for the manufacture of diesel engines used in agriculture, the setting up of cold storage plants, the renewal and establishment of ginneries, oil expellers, jute presses and rice huskers ;

(e) if adequate facilities for servicing machinery are not available in East Pakistan, make suitable arrangements with any outside agency for providing such facilities ;

(f) where adequate transport facilities are not available, provide or maintain suitable transport of its own, and if existing public or private transport agencies are unable to provide such facilities to the Corporation, assist financially or otherwise, public or private interests in setting up suitable transport services for the use of the Corporation ;

(g) carry out or cause to be carried out surveys of the problems and potentials of any area proposed to be declared a Project Area under section 23, and incur expenditure on such surveys, on the training of personnel, and on studies, experiments and technical research; and

(h) contribute towards the cost of any studies, surveys, experiments or technical research connected with the functions of the Corporation and undertaken or done by any other person, body or agency.

14. Additional functions in Project Areas—Without prejudice to the generality of section 13, in a Project Area, the Corporation—

(a) shall organize the dissemination of technical knowledge among agriculturists with a view to ensuring intensive and co-ordinated use of improved seeds, fertilizers, plant protection materials, better cultivation techniques, and credit, including supervised credit;

(b) shall deal with all matters pertaining to land reclamation, range management, dairy industry, organisation of agriculture in new areas, harnessing of hill streams, conservation of catchments, exploitation of potential areas, planned agriculture through suitable crop rotation and mixed farming, marketing and processing of agricultural produce and organisation of co-operative and block farming;

(c) shall organize supervised credit and linking of credit with marketing through co-operative societies;

(d) shall supervise cash credit in such manner as may be prescribed by the regulations;

(e) shall perform all functions, which were, immediately before the issue of notification under section 23 were being performed in such area by the Departments dealing with agriculture, animal husbandry, livestock, co-operative societies, fisheries, forests and consolidation of holdings;

(f) may undertake distribution of water for irrigation;

(g) may undertake anti-salinity measures;

(h) may assist, encourage and promote the use of agricultural machinery; and

(i) may organize, or enter into contracts for, such research as may be necessary for carrying out its functions, including research in land and water utilization.

CHAPTER IV

POWERS OF THE CORPORATION

15. General Powers—(*1*) The Corporation may take such measures and exercise such powers as it considers neccessary or expedient for carrying out the purposes of this Ordinance.

(*2*) Without prejudice to the generality of the powers conferred by any other provisions of this Ordinance, the Corporation may undertake any works, incur any expenditure, procure any plants, machinery or materials required for its use and may enter into any contracts and do all acts and things necessary for the performance of such contracts.

16. Power regarding use of land—(*1*) The Corporation may—

(a) grant land vested in the Corporation to any person on any condition it thinks fit, and for this purpose issue a statement or statements of conditions on which the Corporation is willing to grant such land:

Provided that no land shall be granted to any person without the statement of conditions having been approved by the Provincial Government:

Provided further that no land shall ordinarily be leased for a period exceeding ten years, and where any lease for a longer period is given the provisions of the East Bengal State Acquisition and Tenacy Act, 1950, shall apply, and any other grant shall also be subject to the provisions of the said Act; E. B. Act XXVIII of 1951.

(b) resume the land so granted or in the alternative impose a penalty not exceeding five hundred rupees, where the grantee is proved to the satisfaction of the Corporation to have committed a breach of any of the conditions of the tenancy:

Provided that before an order is made under this clause, the grantee shall be given an opportunity to appear and state his objections:

Provided further that in a case of resumption, the grantee shall be liable to restore possession forthwith, but shall be entitled to compensation for the standing crops and for improvements made by him during the tenancy:

(c) notwithstanding anything contained in any other law for the time being in force,—

(i) prepare or confirm schemes for consolidation of holding in any Project Area by redistribution of title or any of the lands therein so as to reduce the number of plots in the holdings, and order payment of compensation to any person who has received an allotment under any such scheme of consolidation of less market value than his original holding to be paid by all or any of the other persons affected by any such scheme and in such proportion as the Corporation may decide; and

(ii) appoint officers to perform the duties of Consolidation Officers under the law relating to consolidation of holding;

(d) take over and manage *khas* lands of the Provincial Government on such terms and conditions as may be agreed upon between the Corporation and the Provincial Government;

(e) regulate by general or special order the use of land and restrict or prohibit the carrying of any offensive or unwholesome trade or the construction of any building or structure;

(f) direct, in respect of any area—

(i) the levelling, terracing and embankment of fields;

(ii) the afforestation of such area or part thereof;

(iii) the construction of earthworks in fields or ravines;

(iv) the provision of drains for storm water, construction of surface field drains and sub-surface drains;

(v) the training of streams; and

(vi) the execution of such other works as are necessary in the opinion of the Corporation to protect the land from the erosive action of wind or water, or for the development of such area or for the exploitation of its water resources;

(g) direct that any work, which has been required to be done by any person under the preceding clause, and which remains undone, shall, after due notice to such person and considaration of any objection raised by him, be executed by the Corporation, and specify the portion in which the risk and expense of such work shall be borne by such person, or by any other person who is held by the Corporation, upon due enquiry after reasonable notice to him, to be responsible for the execution of such work in whole or in part;

(h) regulate, restrict or prohibit by general or special order in respect of any area—

(i) the clearing or breaking up of land for cultivation;

(ii) the quarrying of non-mineral stone and the burning of lime or charcoal;

(iii) the admission, herding perking and retention of cattle;

(iv) the felling, girdling, lopping, tapping or burning of any tree or timber; and

(v) the kindling, keeping or carrying of any fire;

(i) direct the growing of a particular kind or type of crops or trees in a particular area and specify the rotation of crops to be followed;

(j) undertake the breaking of land, planting of trees, construction of water-courses and do all necessary acts to bring land vested in the Corporation under cultivation; and

(k) make grant of money to any person for the purpose of furthering any of the objects of this Ordinance on such terms and conditions as may be prescribed.

(2) Any general order made under sub-section (*1*) shall be published in such manner as may be prescribed.

17. Power to control letting of land and rights of tenants—(*1*) The Corporation may by regulations provide for the terms and conditions on which persons who, at the commencement of this Ordinance, were in cultivating possession of agricultural land may continue in such possession.

(*2*) An order made under sub-section (*1*) shall have effect, notwithstanding anything contained in any other law for the time being in force.

(*3*) On the application of the Corporation, any Magistrate or Police-Officer may summarily eject any person who is in cultivating possession of agriculrural land contrary to the provisions of an order made under sub-section (*1*), and on similar application summarily restore possession to any person who may be entitled to it and may use such force as may be necessary for the purpose.

18. Powers regarding improvement of communications—In order to improve communications in and around a Project Area, the Corporation may—

(a) subject to any conditions it may deem fit to impose,—

(i) guarantee the payment from the funds at its disposal, of such sums as it may deem fit, by way of interest on capital expended on the construction, maintenance or working any means of communication; and

(ii) make such payments as it may deem fit from the said funds, by way of subsidy to persons undertaking to provide, maintain and work any means of communications:

Provided that no guarantee or subsidy shall be made without the previous sanction of the provincial Government; or

(b) either singly, or in combination with any other person, construct, maintain and work any means of communication subject to the provisions of any law applicable thereto; or

(c) construct or widen, strengthen or otherwise improve roads and bridges, subject to the provisions of any law applicable thereto.

19. Power to make surveys or contribute towards their cost—The Corporation may—

(a) cause a survey of any land to be made when it considers that a survey is necessary or expedient for carrying out any of the purposes of this Ordinance; or

(b) contribute towards the cost of any such survey made by any other authority.

20. Power of entry—(*1*) The Chairman, or any other person authorised by him in writing, may enter upon and survey any land, undertake investigations, erect pillars for the determination of areas and intended lines of works, make borings and excavations for the discovery of water, construct channels and aqueducts for securing the flow of water, and do all other acts which may be necessary in order to carry out all or any of the objects of this Ordinance:

Provided that when the affected land does not vest in the Corporation, the powers conferred by this sub-section shall be exercised in such manner as to cause the least interference with and the least damage to, the rights of the owner thereof.

(*2*) When any person enters into or upon any land in pursuance of sub-section (*1*), he shall, at the time of entering, pay or tender payment for all necessary damage to be done as aforesaid, and in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the disputo to the Corpoation whose decision shall be final.

(*3*) It shall be lawful for any person authorised under sub-section (*1*) to make an entry for the purpose of inspection or search, to open or cause to be opened a door, gate or other barrier, at any time between the hours of sunrise and sunset,—

(a) if he considers the opening thereof necessary for the purpose of such entry, inspection, or search; and

(b) if the occupier or owner, as the case may be, is absent, or being present refuses to open such door, gate or barrier:

Provided that the compensation shall be paid for the damage caused in such manner as the Corporation may prescribe, and in case of dispute as to the sufficiency of the amount the matter shall be referred to the Corporation, whose decision shall be final.

CHAPTER V

PLANS, PROJECTS AND SCHEMES

21. Outline Plans—Subject to the provisions of this Ordinance and the rules and regulations, the Corporation shall, with the previous approval in writing of the Provincial Government, prepare an outline plan or plans for the execution of its objectives.

22. Development Schemes and Projects—(*1*) The Corporation shall prepare schemes and projects for development in specific areas and submit them for the approval of the Provincial Government.

(*2*) Every such scheme or project shall, subject to the provisions of this Ordinance, contain the following particulars, namely:—

(a) a description of the scheme or project and the manner and programme of its execution;

(b) an estimate of costs involved and benefits expected to accrue therefrom, and the allocation of costs to the various purposes to be served by the scheme or project and the amounts to be repaid by persons benefited thereby; and

(c) the target to be achieved.

23. Declaration of Project Area—On the receipt of a scheme or project under section 22, the Provincial Government may, by notification in the *Official Gazette* declare any area to be a "Project Area".

24. Powers and functions of the Corporation in a Project Area—Within a Project Area, the Corporation shall, in addition to the powers and functions specified in this Ordinance, exercise such powers and perform such functions as may be detailed in the aforesaid notification.

25. Delegation or entrustment by the Provincial Government of powers and functions to the Corporation—The Provincial Government may, by notification in the *Official Gazette*, delegate or entrust any such powers and functions to the Corporation or any officer as may be exercised or performed by the Provincial Government, or any authority subordinate to it, under any other law for the time being in force.

26. Subsidiary organizations—The Corporation may set up such subsidiary organizations as may be necessary for the execution of any of its schemes or projects and delegate or entrust to any such organization such of powers and functions as it thinks fit.

27. Commercial transactions—The Corporation may enter into commercial transactions with any person or organization.

28. Withdrawal of the Corporation from a Project Area—After the achievement of the targets of a scheme or project, the Provincial Government may permit or require the Corporation to withdraw from a Project Area, and on such withdrawal the area shall cease to be a Project Area:

Provided that the Provincial Government may make arrangements for the continuation of any activities or undertakings of the Corporation in such area after it has ceased to be a Project Area.

CHAPTER VI

SPECIAL PROVISIONS RELATING TO LAND DEVELOPMENT SCHEMES AND PROJECTS

29. Schemes and projects for development—In schemes or projects involving acquisition and development of land or terracing or levelling of land or soil conservation or soil reclamation, the Corporation may provide for all or any of the following matters, that is to say,—

(a) the acquisition under the Land Acquisition Act, 1894, as modified by Chapter VII of this Ordinance, of any land or any interest in land necessary for, or affected by the execution of the scheme or project; I of 1894.

(b) the acquisition by purchase, lease, exchange or otherwise of such land or interest in land;

(c) the retention, letting on hire, lease, sale, exchange or disposal otherwise of any land vested in or acquired by the Corporation;

(d) the relaying of any land comprised in the scheme or project, reservation of any land, not exceeding such portion of the total area as may be specified by regulations, for the common purposes of the village or villages comprised therein, the redistribution of the rest of the land among the owners of the property, and the management of the land reserved for such common purposes;

(e) the layout and construction of market places, villages and settlements including the demolition of existing buildings and the erection or re-erection of buildings by the Corporation or the owners, or by the Corporation in default of the owners;

(f) the provision of facilities for communication, including the layout and alteration of roads, streets, foot-paths, bridle-paths, aerodromes and waterways;

(g) the provision of open spaces, national parks, nature reserves, forests and forest parks;

(h) the breaking up, cultivation, afforestation or plantation of lands, and the raising, lowering or reclamation of any land for the production of foodgrains, fruits, vegetables, fuel, fodder and similar other things, and the provision of means of irrigation and irrigation channels by the Corporation, or the owners, or by the Corporation in default of the owners;

(i) the draining, water-supply and lighting of streets and sanitation of villages and settlement, and market places;

(j) the provision of a system of drains or sewers for the improvement of Oil-drained and insanitary localities;

(k) the provision of fisheries, poultry farms, livestock farms, dairy farms, sheep farms, bee farms and similar other farms;

(l) the installation, management, maintenance and encouragement of public utility undertakings, rural trades and crafts, industries, and works connected with agriculture;

(m) the doing of all acts intended to promote the well-being and prosperity of the Project Area; and

(n) the advancing as loan to the owners, occupiers or tenants of land comprised in the scheme or project upon such terms and conditions as to interest and sinking fund and other matters as may be specified in the scheme or project, of the whole or part of the capital requisite for breaking up and cultivation of land, construction of water-courses, sinking of wells, purchase of cattle and of agricultural implements and machinery, for seeds and for any purpose subsidiary to agriculture and for erection of houses, godowns and cattle-sheds.

30 Notice of scheme or project and supply of documents —(1) When any such scheme or project as is contemplated in section 29 has been prepared, the Corporation shall prepare a notice stating—

(a) the fact that the scheme or project has been prepared;

(b) the boundaries of the area comprised in the scheme or project; and

(c) the place at which details of the scheme or project, including a statement of the land proposed to be acquired or on which it is proposed to charge a development fee, and a general map of the area may be inspected during reasonable hours.

(2) The Corporation shall—

(a) cause the said notice to be published weekly for three consecutive weeks in the *Official Gazette* and in a local newspaper or local newspapers with a statement of the period which shall not be less than thirty days, within which objections shall be received; and

(b) send a copy of the notice to the Deputy Commissioner of the district, and to the District Council, the Thana Council and the Union Council constituted under the Basic Democracies Order, 1959, having jurisdiction in the area with the request to send to the Corporation, within six weeks of receiving the copy of the notice, any representation, comments or suggestions they may wish to make. P.O. 18 of 1959.

(3) The Chairman shall cause copies of the documents referred to in clause (*c*) of sub-section (*1*) to be delivered to any applicant on payment of such fees as may be prescribed.

31 Notice of proposed acquisition of land or levy of development fee—(*1*) During the thirty days next following the first day on which any notice is published under section 30 in respect of any scheme or project under this Chapter, the Corporation shall serve a notice on—

(a) every person whom the Corporation has reason to believe, after due enquiry, to be the owner of any immovable property which it proposes to acquire in executing the scheme or project, or in respect of which it is proposed to charge a development fee; and

(b) the occupier or tenant (who need not be named) of such premises or land as the Corporation proposes to acquire in executing the scheme or project.

(*2*) Such notice shall—

(a) state that the Corporation proposes to acquire such property or to recover a development fee in respect of such property, for the purposes of carrying out a scheme or project under this Chapter; and

(b) require such person, if he objects to such acquisition or recovery of development fee, to state his reasons in writing (in duplicate), within a period of thirty days from the service of the notice.

(3) Every such notice shall be signed by, or by the order of, the Chairman.

32. Abandonment of project or application to the Provincial Government to sanction it.—(1) After the expiry of the period respectively mentioned in clauses (a) and (b) of sub-section (2) of section 30 and clause (b) of sub-section (2) of section 31, the Corporation shall consider any objection or representation received thereunder and after hearing all persons making any such objection or representation who may desire to be heard or their representative, the Corporation may either abandon the scheme or project or apply to the Provincial Government for sanction of the scheme or project with such modifications, if any, as the Corporation may deem necessary.

(2) Every application submitted to the Provincial Government under sub-section (1) shall be accompanied by—

(a) complete plans and details of the scheme or project and an estimate of the cost of executing it;

(b) a statement of the reasons for modifications, if any, made in the scheme or project as originally prepared;

(c) a statement of objections and representations, if any, received under section 30;

(d) a list of the names of all persons, if any, who have objected under clause (b) of sub-section (2) of section 31 to the proposed acquisition of their property, or the proposed recovery of development fee, and a statement of the reasons given for such objections; and

(e) a statement of the arrangements made or proposed to be made by the Corporation for the resettlement or re-housing of persons who are likely to be displaced by the execution of the scheme or project.

33. Power to sanction, reject or return a scheme or project—(1) The Provincial Government may sanction, with or without modifications, or may refuse to santion, or may return for reconsideration, any scheme or project submitted to it under section 32.

(2) If a scheme or project returned for reconsideration under sub-section (1) is modified by the Corporation, it shall be republished in accordance with the provisions of section 30. in every case in which the modification

affects the boundaries of the area comprised in the scheme or project or involves the acquisition of any land not previously proposed to be acquired, or the levy of development fee on land which was not previously proposed to be liable to such development fee.

34. Notification of sanction of any scheme or project—(*1*) Whenever the Provincial Government sanctions any scheme or project under this Chapter, it shall announce the fact, by notification in the *Official Gazette*, and the Corporation shall forthwith proceed to execute the scheme or project.

(*2*) A notification under sub-section (*1*) in respect of any scheme or project shall be conclusive evidence that the scheme or project has been duly prepared and sanctioned and shall not be called in question in any court.

35. Alteration of scheme or project after sanction—A scheme or project under this Chapter may be altered by the Corporation at any time between its sanction by the Provincial Government and its execution:

Provided that,—

(a) if any alteration is estimated to increase the net estimated cost of executing a scheme or project by more than five lakhs of rupees or by ten percent of the said estimated net cost, whichever is less, such alteration shall not be made without the previous sanction of the Provincial Government ; or

(b) if any alteration involves the acquisition, otherwise than by agreement, of any land the acquisition of which has not been sanctioned by the Provincial Government, or the levy of development fee on land not previously liable to such fee, the procedure laid down in the foregoing sections of this Chapter shall, so far as applicable, be followed, as if the alteration were a separate scheme or project.

36. Inclusion of different areas in combined scheme or project—Any number of areas in respect of which the Corporation has prepared or has proposed to prepare schemes or projects under this Ordinance may, at any time, be included in one combined scheme or project.

37. Passing over of works and services to local authorities—As soon as any scheme or project has been carried out by the Corporation, or at a later date, the Corporation may, by written requisition, call upon a local authority within whose jurisdiction any particular area covered by the scheme or project lies to take over and maintain any of the works and services in that area and the local authority shall comply with such requisition.

CHAPTER VII

ACQUISITION, ABANDONMENT OF ACQUISITION AND LEVY OF DEVELOPMENT FEE

38. Modification of Act I of 1894—(*1*) For the purpose of compulsory acquisition of land by the Corporation, the Land Acquisition Act, 1894, hereinafter referred to as the said Act, shall apply subject to the modifications indicated in the Schedule. I of 1894.

(*2*) In addition to the modifications indicated in Schedule,—

(a) the first publication of a notice of a scheme or project under section 30 shall be substituted for and have the same effect as publication in the *Official Gazette* and in the locality of a notification under sub-section (*1*) of section 4 of the said Act, except where a notification under section 4 or a declaration under section 6 of the said Act has previously been made and is still in force;

(b) proceedings under section 31 and sub-section (*1*) of section 32 shall be substituted for and have the same effect as proceedings under section 5A of the said Act; and

(c) subject to the provisions of paragraphs 9 and 10 of the Schedule, the publication of a notification under section 34 shall be substituted for and have the same effect as a declaration by the Provincial Government under section 6 of the said Act, unless a declaration under the last mentioned section has previously been made and is still in force.

39. Acquisition in urgent cases—(*1*) The Provincial Government may, be notification in the *Official Gazette*, declare any area to be an area required immediately for development or for any other purpose similar to the purposes of a scheme or project, and direct the Corporation to undertake in respect of such area all or any of the measures which may be undertaken under any scheme or project.

(*2*) After a notification has been issued under sub-section (*1*) in respect of any area, the Corporation may apply to the Collector, who after giving such reasonable notice as may be prescribed to the owners and occupiers, shall deliver possession of any land in such locality to the Corporation and the land shall thereupon, notwithstanding anything contained in the Land Acquisition Act, 1894, vest absolutely in the Corporation free from all encumbrances subject only to payment of compensation under the Land Acquisition Act, 1894, as modified by this Ordinance. I of 1894. I of 1894.

40. Tribunals—(*1*) For the purpose of performing the functions of the Court in reference to the acquisition of land for the Corporation under the Land Acquisition Act, 1894, as modified by this Ordinance, the Provincial Government may, by notification in the *Official Gazette*, constitute one or more Tribunals, and may define the local limits of their jurisdiction. I of 1894.

(*2*) The Tribunal shall consist of a President and two Members chosen by the Provincial Government.

(*3*) The President of the Tribunal shall be a person qualified to be a Judge of the High Court:

Provided that no person shall be appointed as President or Member of the Tribunal if he suffers from any of the disqualifications mentioned in sub-section (*1*) of section 7.

(*4*) The term of office of the President and Members of the Tribunal shall be two years, and they shall be eligible for re-appointment.

(*5*) The Tribunal shall be deemed to be the Court' and the President thereof shall be deemed to be the Judge for the purpose of compulsory acquisition under the Land Acquisition Act, 1894. I of 1894.

(*6*) The President of the Tribunal shall have the powers of a Civil Court under the Code of Civil Procedure, 1908 to summon and enforce the attendance of witnesses and to compel the production of documents. Act V of 1908.

(*7*) The Provincial Government may, in its discretion, remove a Member of the Tribunal on grounds of inefficiency, misconduct, or for any other good and sufficient reasons.

(*8*) The Provincial Government may by rules provide for—

(a) the method of filling a casual vacancy on a Member becoming incapacitated to work on account of illness or for any other reasons;

(b) the employment by the President of the Tribunal of such ministerial staff as is necessary to carry on the work of the Tribunal and their scales of pay;

(c) the emoluments or allowances to be paid to the President and the Members of the Tribunal;

(d) the grant of leave, promotion, or taking of disciplinary action by the President of the Tribunal in respect of the ministerial staff employed under him; and

(e) generally, for the conduct of business before the Tribunal.

(9) For the purpose of the award to be made by the Tribunal under the Land Acquisition Act, 1894, the following rules shall apply, that is to say— I of 1894.

(a) if there is disagreement between the Members of the Tribunal regarding measurment of land, or the amount of compensation or costs, the opinion of the majority shall prevail;

(b) the decision on questions of law and procedure shall rest solely with the President of the Tribunal;

(c) the President of the Tribunal shall not be bound to consult the Members in regard to the determination of persons to whom compensation is to be paid, or the apportionment thereof, and may in his discretion dispose of such question singly and in that case his decision shall be deemed to be the decision of the Tribunal.

(10) Every award of the Tribunal shall be deemed to be the award of the Court under the Land Acquisition Act, 1894, and shall be enforced by the Subordinate Judge within whose jurisdiction the land under acquisition is situated as if it were the decree of that Court. I of 1894.

41. Appeals—(1) Subject to the provision of sub-section (2), an appeal shall lie to the High Court in any of the following cases, namely:—

(a) where the decision is that of the President of the Tribunal sitting alone in pursuance of clause (c) of sub-section (9) of section 40; and

(b) where the decision is that of the Tribunal, and:—

(i) the President of the Tribunal grants a certificate that the case is a fit one for appeal; or

(ii) the High Court grants special leave to appeal:

Provided that the High Court shall not grant such special leave unless the President of the Tribunal has refused to grant a certificate under sub-clause (i) and the the amount in dispute is not less than five thousand rupees.

(2) An appeal under clause (b) of sub-section (1) shall lie only on one or more of the following grounds, namely:—

(a) the decision being contrary to law or to some usage having the force of law:

(b) the decision having failed to determine some material issue of law or usage having the force of law; and

(c) a substantial error or defect in procedure which may possibly have produced error or defect in the decision of the case upon merits.

(3) Subject to the foregoing provisions, the provisions of the Code of Civil Procedure, 1908, with respect to appeals from original decrees shall, so far as may be, apply to appeals under this section. Act V of 1908.

(4) Every order passed by the High Court on appeal under this section shall be enforced by the Court of the Subordinate Judge whithin whose jurisdiction the land relating to the award or order appealed against is situated, as if it were a decree of that Court.

(5) An appeal under this section shall be deemed to be an appeal under the Code of Civil Procedure, 1908, within the meaning of Article 156 of the First Schedule to the Limitation Act, 1908. Act V of 1908. IX of 1908.

42. Abandonment of acquisition—(1) An owner of land comprised in any scheme or project sanctioned by the Provincial Government, or any other person having land interest therein, may apply to the Corporation that the acquisition of the land which is not required for the execution of the scheme or project be abandoned.

(2) The Corporation may admit for consideration such application if it is made at any time before the Collector has made an award under section 11 of the Land Acquisition Act, 1894, and if the application is admitted, the Corporation shall intimate this fact to the Collector who shall thereupon stay further proceedings connected with the acquisition of land in respect of which the application is admitted and the same shall not be re-opened until so desired by the Corporation. I of 1894.

(3) The Corporation may, in its discretion, allow such application on payment of such fee and fulfilment of such terms and conditions as it may impose in this behalf.

(4) If any application under sub-section (1) is rejected by the Corporation or the fee imposed under sub-section (3) is not paid by the person concerned within the period specified in that behalf by the Corporation, the Corporation shall intimate the fact to the Collector who shall take up the proceedings for the acquisition of the land from the stage at which they had been stayed.

Explanation—In this section, "Collector" has the same meaning as in the Land Acquisition Act, 1894. I of 1894.

43. Fresh acquisition—If any land in respect of which any payment has been accepted under the provisions of section 42 or section 45 be subsequently required for any of the purposes of this Ordinance, the payment or any other act done in connection therewith under the rules framed under sub-section (4) of section 45, shall not be deemed to prevent the acquisition of the land in pursuance of a fresh declaration under section 6 of the Land Acquisition Act, 1894. I of 1894.

CHAPTER VIII

FINANCE

44. Corporation Fund—(*1*) There shall be a fund to be known as the "Corporation Fund" vested in the Corporation which shall be utilized by the Corporation to meet charges in connection with its functions under this Ordinance, including the payment of salaries and other remunerations to the Chairman, Directors, officers, advisers and servants of the Corporation.

(*2*) The Corporation Fund shall consist of,—

(a) grants made by the Provincial Government;

(b) loans obtained from the Provincial Government;

(c) grants made by local authorities;

(d) sale-proceeds of bonds issued under the authority of the Provincial Government;

(e) loans obtained by the Corporation with the special or general sanction of the Provincial Government;

(f) foreign aid and loans obtained with the previous sanction of the Central Government;

(g) all fees, including development fees, received by the Corporation; and

(h) all other sums received by the Corporation.

45. Development Fee—(*1*) When, by the execution of any scheme or project under this Ordinance, any land in the area comprised therein which is not required for the execution thereof will, in the opinion of the Corporation, be increased in value or will obtain benefit from the execution of the scheme or project, the Corporation, may, while preparing the scheme or project, or at any time thereafter with the previous sanction of the Provincial Government, provide that a development fee shall be paid by the owners thereof or any person having interest therein.

(*2*) The Corporation may at any time after the sanction of the scheme or project under section 33, by resolution declare that for the purpose of levy of development fee the scheme or project shall be deemed to have been executed and shall thereupon proceed to assess the demand in accordance with the rules made under sub-section (*4*).

(*3*) In fixing the amount of development fee to be charged in respect of any land or class of land, the Corporation shall also take into consideration the actual expenditure incurred or to be incurred in the execution of the scheme or project and the degree to which the land or any part of the land has or will be benefited thereby.

(*4*) The Provincial Government may make rules providing for—

(a) the manner in which the demand for development fee shall be assessed and distributed on the land comprised in the scheme or project and the person or persons by whom the fee shall be payable;

(b) the acceptance by the Corporation of a satisfactory and sufficient security in lieu of immediate payment of development fee by an owner of land or any person interested therein;

(c) the mode by which development fee shall be realised, the number of instalments to be allowed and the interest chargeable on the balance outstanding from time to time ; and

(d) the mode of preferring appeal from assessment by the Corporation and the authority to which that appeal shall lie.

46. Other fees and charges—The Corporation, may, with the previous sanction of the Provincial Government, impose in a Project Area or part thereof any fee or other charge, to meet the expenses incurred in the performance of functions assigned to the Corporation by or under this Ordinance.

47. Grants-in-aids—Any local authority may, and when so required by the Provincial Government shall, grant such amount of money to the Corporation as may be determined by the Provincial Government.

48. Power of the Corporation to borrow money—The Corporation shall be deemed to be a local authority under the Local Authorities Loans Act, 1914, for the purposes of borrowing money under that Act, and the making and execution of any scheme or project under this Ordinance shall be deemed to be a work which such authority is legally authorized to carry out: IX of 1914.

Provided that no foreign loan shall be obtained by the Corporation without the previous sanction of the Central Government, and no other loan shall be obtained by it without the previous sanction of the Provincial Government.

49. Custody and investments of funds—(*1*) The Corporation may keep money in any treasury, sub-treasury or a bank approved by the Provincial Government.

(*2*) Nothing in sub-section (*1*) shall be deemed to preclude the Corporation from investing any such moneys which are not required for immediatte expenditure in any of the securities described in section 20 of the Trusts Act, 1882 or placing them in fixed deposit with a bank approved by the Provincial Government. II of 1882.

50. The budget—The Corporation shall prepare its annual budget estimates and submit the same to the Provincial Government by the prescribed date and the Provincial Government may modify the said estimates to such extent as it may consider necessary.

CHAPTER IX

RULES, REGULATIONS AND NOTICES

51. Power to make rules—(*1*) The Provincial Government may, by notification in the *Official Gazette*, make rules for the purpose of giving effect to the provisions of this Ordinance.

(*2*) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for—

(*a*) the carrying out of continuous evaluation by the Provincial Government of the work of the Corporation;

(*b*) the reappropriation of funds within the sanctioned budget;

(*c*) the maintenance of liaison between the Corporation and other bodies and authorities concerned with administration and development, including the local councils constituted under the Basic Democracies Order, 1959. P. O. No. 18 of 1959.

(*d*) the powers of the Project Directors; and

(*e*) any other matters required by the provisions of this Ordinance to be prescribed.

52. Power to make regulations—(*1*) Subject to the provisions of this Ordinance and the rules, the Corporation may, by notification in the *Official Gazette*, and with the previous approval of the Provincial Government, make regulations for carrying out the purposes of this Ordinance.

(*2*) In particular, and without prejudice to the generality of the foregoing powers, such regulations may provide for—

(*a*) the appointment of Committees to consider a particular matter or matters;

(*b*) the investment of moneys by the Corporation;

(*c*) the meetings of the Board;

(d) methods of ensuring continuous evaluation by the Corporation of its schemes and projects;

(e) the determination of the terms and conditions of service of the officers and servants of the Corporation;

(f) the mode of operation and expenditure of the funds of the Corporation; and

(g) Any other matters required by the provisions of this Ordinance to be provided by regulations.

53. Stamping signature on notices or bills—Every notice or bill issued by the Corporation under this Ordinance shall be signed by the Chairman or by any Director, officer or servant of the Corporation specially or generally authorized by the Chairman and every such notice or bill shall be deemed to be properly signed, if it bears the facsimile of the signature of the Chairman or such Director, officer or servant stamped or printed thereon.

54. Method of giving public notice—Subject to the provisions of this Ordinance, every public notice required under this Ordinance shall be deemed to have been duly given if it is published in some local newspaper and posted on a notice board to be exhibited for public information at the building in which the meetings of the Corporation are ordinarily held.

55. Service of notice—(*1*) Every notice, other than a public notice, and every bill, issued under this Oridnance shall, unless it is under this Ordinance otherwise expressly provided, be served or presented—

(a) by giving or tendering the notice or bill, or sending it by registered post, to the person to whom it is addressed; or

(b) if such person cannot be found, then by leaving the notice or bill at his last known place of abode, or by giving or tendering it to some adult male member or servant of his family, ordinarily residing with him, or by causing it to be affixed on some conspicuous part of the building or land to which it relates.

(*2*) When a notice is required or permitted under this Ordinance to be served upon an owner, occupier or tenant, as the case may be, of a building or land, it shall not be necessary to name the owner, occupier or tenant therein, and the service thereof, in cases not otherwise specially provided for in this Ordinance, shall be effected either—

(a) by giving or tendering the notice, or sending it by post to the owner, occupier or tenant, or, if there be more owners, occupiers or tenants than one, to any of them; or

(b) if such owner, occupier or tenant cannot be found, then by giving or tendering the notice to an adult male member or servant of his family ordinarily residing with him, or by causing the notice to be affixed on some conspicuous part of the building or land to which it relates.

(3) Whenever the person on whom a notice or bill is to be served is a minor, service upon his guardian or upon an adult male member or servant or his family ordinarily residing with him shall be deemed to be service upon the minor.

56. Disobedience to Ordinance or notice—Where, under this Ordinance or a notice issued thereunder, the public or any person is required to do or to refrain from doing anything, a person who fails to comply with such requisition shall, if such failure is not an offence punishable under any other section of this Ordinance, be liable, on conviction by a Magistrate, to a fine not exceeding five hundred rupees for every such failure, and in the case of a continuing breach, to a further fine which may extend to five rupees for every day after the date of the last conviction during which the offender is proved to have persisted in the breach:

Provided that when the notice fixes a time within which a certain act is to be done, and no time is specified in this Ordinance, it shall rest with the Magistrate to determine whether the time so fixed was reasonable time within the meaning of this Ordinance.

57. Powers of the Corporation to execute works on failure to comply with notice—If a notice has been given by the Corporation under this Ordinance to a person requiring him to execute a work in respect of any property, movable or immovable, public or private, or to provide or do or refrain from doing anything within a time specified in the notice, and if such person fails to comply with such notice, then the Corporation may cause such work to be executed or such thing to be provided or done, and may recover all expenses incurred by it on such account from the said person.

58. Liability of occupier to pay in default of owner—If the person to whom the notice mentioned in section 57 has been given, is the owner of the property in respect of which it is given the Corporation may (whether any action or other proceeding has been brought or taken against such owner or not) require the person, if any, who is the occupier or tenant of such property or a part thereof under such owner, to pay to the Corporation instead of paying to the owner the rent payable by him in respect of such property, as it falls due, up to the amount recoverable from the owner under section 57 and any such payment made by the occupier or tenant to the Corporation shall be deemed to have been made to the owner of the property.

(2) For the purpose of deciding whether action should be taken under sub-section (1), the Corporation may require an occupier or tenant of property to furnish information as to the sum payable by him as rent on account of such property and as to the name and address of the person to whom it is payable, and if the occupier or tenant refuses to furnish such information he shall be liable for the whole of the expenses as if he were the owner.

59. Right of occupier to execute work in default of owner—Whenever default is made by the owner of a building or land in the execution of a work required under this Ordinance to be executed by him, the occupier or tenant of such building or land may, with the written permission of the Corporation, cause such work to be executed and the expense thereof shall be paid by the owner, or the amount may be deducted out of the rent from time to time becoming due from him to such owner.

60. Procedure upon opposition to execution by occupier—(1) If, after receiving information of the intention of the owner of any building or land to take any action in respect thereof in compliance with a notice issued under this Ordinance, the occupier or tenant refuses to allow such owner to take such action, the owner may apply to a Magistrate.

(2) The Magistrate, upon proof of such refusal, may, by order in writing, require the occupier or tenant to give the owner reasonable facility for executing such works, with respect to such building or land, as may be necessary for compliance with the notice, and may also, if he deems fit, order the occupier or tenant to pay to the owner the costs relating to such application or order.

(3) If, after the expiration of eight days from the date of the Magistrate's order, the occupier or tenant continues to refuse to allow the owner to execute such work the occupier or tenant shall be liable upon conviction, to a fine which may extend to twenty-five rupees for every day during which he has so continued to refuse.

(4) Every owner, during the continuance of such refusal, shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in the execution of such works.

61. Rcovery of cost of works by the occupier—When the occupier or tenant of a building or land has, in compliance with a notice issued under this Ordinance, executed a work for which the owner of such building or land is responsible, either in pursuance of contract of tenancy or by law, he shall be entitled to recover from the owner, by deduction from the rent payable by him or otherwise, the reasonable cost of such work.

62. Relief to agents and trustees—(*1*) When a person, by reason of his receiving or being entitled to receive, the rent of immovable property as trustee or agent of a person or society would, under this Ordinance, be bound to discharge an obligation imposed by this Ordinance on the owner of the property for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own improper act or default might have had, in his hands funds belonging to the owner sufficient for the purpose.

(2) When an agent or trustee has claimed and established his right to relief under this section, the Corporation may give him notice to apply to the discharge of such obligation as aforesaid the moneys which come to his hands on behalf or for the use of the owner, and should he fail to comply with such notice, he shall be deemed to be personally liable to discharge such obligation.

63. Penalty for removing fence, etc.—If any person, without lawful authority—

(a) removes any fence or any timber used for propping or supporting any building, wall or other thing or extinguishes any light set up at any place where the surface of a street or other ground has been opend or broken up by the Corporation for the purpose of carrying out any work; or

(b) infringes any order given, removes any bar, chain or post fixed, by the Corporation for the purpose of closing any street to traffic,

he shall be punishable with fine which may extend to fifty rupees.

64. Penalty for obstructing contractor or removing mark—If any person—

(a) obstructs or molests any person with whom the Corporation has entered into contract under this Ordinance in the performance or execution, of the contract by such person, or

(b) removes any marks set up for the purpose of indicating any level or direction necessary to the execution of works authorised under this Ordinance,

he shall be punishable with fine which may extend to two hundred rupees or with imprisonment for a term which may extend to two months.

65. Power of Corporation in cases of squatters and trespassers—When the Chairman is satisfied that any person has taken or is in possession of land comprised in any

scheme or project or any other land owned by or vested in the Corporation to which he has no right or title, the Chairman or any person authorised by him in addition to any other powers he may possess, may forthwith, with the use of such force as may be necessary, re-enter upon the land, and resume possession of it and take possession of all crops, trees and buildings thereon on behalf of the Corporation without payment of any compensation whatsoever.

66. Penalty for unauthorised cultivation, etc.—If any person, without the written permission of the Corportion—

(a) clears or breaks up for cultivation or cultivates any land which is owned by or in the possession of the Corporation and is not included in any tenancy or allocated residential enclosures, or which has been set apart for the common purposes of a town or a village community or section of the same or for a road, canal or watercourse, or

(b) erects any building on any such land, or

(c) fells or otherwise destroys standing trees on such land, or

(d) otherwise encroaches on any such land, or

(e) makes an excavation or constructs a water channel on any such land,

he shall be punished on conviction by a Magistrate with a fine not exceeding two hundred rupees.

Explanation—The felling of trees planted by an owner or tenant on any village road or watercourse traversing his holding is not an offence under this section.

67. Additional powers of the Chairman of the Corporation in regard to offences—When the Corporation is satisfied that an act punishable under section 66 has been committed it may, in lieu of proceeding against the offender under that section, or after conviction of the offender under that section,—

(i) in the case of an offence under clause (*a*) of section 66, confiscate the crops growing on any land cultivated in contravention of this Ordinance, or if the crops have been cut, recover such sum as it may assess as the value thereof from the offender;

(ii) in the case of an offence under clause (*c*) of section 66, recover such sum as it may assess as the value of the trees destroyed;

(iii) in the case of an offence under clause (*b*), (*d*) or (*e*) of section 66, cause the building or other encroachment to be demolished or removed or the excavation or channels to be filled up, and levy the cost of so doing from the person responsible for such act.

CHAPTER X

SUPPLEMENTAL PROVISIONS

68. Chairman, etc., deemed public servants,—The Chairman, every Director, and every officer, adviser and servant of the Corporation, and the President and every member, officer and servant of the Tribunal, set up under section 40, shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code. Act XLV of 1860.

69. Contribution by the Corporation towards leave, allowances and pension of Government servant—The Corporation shall be liable to pay such contributions for the leave, allowances and pension of any person in the service of the Central or Provincial Government and employed as Chairman, Director, advisor, officer or servant of the Corporation, or as President, member or officer or servant of the Tribunal constituted under section 40 as may be required by the conditions of his service under such Government to be paid to him or on his behalf.

70. Authority for prosecution—No Court shall take cognizance of any offence punishable under this Ordinance, except on the complaint of the Chairman or some person authorized by the Corporation or by the Chairman by general or special order in this behalf.

71. Recovery of dues—The Chairman or any person generally or specially authorised by him may apply to the Deputy Commissioner for the recovery of any sum due under this Ordinance or by agreement made under this Ordinance and the Deputy Commissioner shall thereupon proceed to recover the sum as a public demand under the Bengal Public Demands Recovery Act, 1913. Bengal Act III of 1913.

72. Powers of Chairman as to institution, etc., of legal proceedings and obtaining legal advice—The Chairman may, subject to the control of the Corporation,—

(i) institute, defend or withdraw from legal proceedings under this Ordinance;

(ii) compound any offence against this Ordinance;

(iii) admit, compromise or withdraw any claim made under this Ordinance; and

(iv) obtain such legal advice and assistance as he may, from time to time, deem it necessary or expedient to obtain, or as he may be desired by the Corporation to obtain, for any of the purposes referred to in the foregoing clauses of this section, or for securing the lawful exercise or discharge of any power or duty vested in or imposed upon the Corporation or any officer or servant of the Corporation.

73. Indemnity to the Corporation—No suit shall lie against the Corporation, the Chairman, any Director or any officer, adviser or servant of the Corporation, or any person acting under the direction of the Corporation, or of the Chairman or of any officer or servant of the Corporation in respect of anything done lawfully and in good faith and with due care and attention under this Ordinance.

74. Notice of suit against the Corporation, etc.—(*1*) No suit shall be instituted against the Corporation, the Chairman, any Director, any person associated with the Corporation or any officer, adviser or servant of the Corporation, or any person acting under the direction of the Corporation or of the Chairman or of any officer or servant of the Corporation in respect of an act purporting to be done under this Ordinance, until after the expiration of two months next from notice in writing has been, in the case of the Corporation left at its office, and in any other case delivered to or left at the office or place of abode of the person to be sued, explicitly stating the cause of action, the nature of the relief saught, the amount of compensation claimed, and the name and place of abode of the intending plaintiff; and in case the suit is filed, the plaint shall contain a statement that such notice has been so delivered or left.

(2) If the Corporation or other person referred to in sub-section (*1*) shall before the action is commenced, have tendered, in the opinion of the Court, sufficient amends to the plaintiff, the plaintiff shall not recover any sum in excess of the amount so tendered and shall also pay all costs incurred by the defendant after such tender.

(3) Action such as is described in sub-section (*1*) shall, unless it is an action for the recovery of immovable property or for a declaration of the title thereto, be commenced within six months next after the accrual of the cause of action:

Provided that nothing in this section shall be construed to apply to a suit wherein the only relief claimed is an injunction of which the object would be defeated by the giving of the notice or the postponement of the commencement of the suit or proceedings.

75. Mode of proof of the Corporation records—A copy of any receipt, application, plan, notice, order, entry in a register or other document in the possession of the Corporation shall, if duly certified by the legal keeper thereof, or other person authorised by the Corporation in this behalf, be received as *prima facie* evidence of the existence of the entry or document and shall be admitted as evidence of the matters and transactions therein recorded in every case where, and to the same extent, as the original entry or document would, if produced, have been admissible to prove such matters.

76. Restriction on the summoning of the Corporation servants to produce documents—Neither the Chairman nor any Director, adviser, officer or servant of the Corporation shall in any legal precedings to which the Corporation is not a party be required to produce any register or document the contents of which can be proved under the preceding section by a certified copy, or to appear as a witness to prove the matters and transactions recorded therein unless by order of the Court made for special cause.

77. Validation of acts and proceedings—(*1*) No act done or proeeedings taken under this Ordinance shall be questioned on the ground merely of—

(a) the existence of any vacancy in, or any defect in the constitution of, the Board; or

(b) any person having ceased to be a Director has continued to act as such; or

(c) the failure to serve a notice on any person, where no substantial injustice has resulted from such failure; or

(d) any omission, defect or irregularity not affecting the merits of the case.

(*2*) Every meeting of the Board, the minutes of the proceedings of which have been duly signed as prescribed in clause (*5*) of section 10 shall be taken to have been duly convened and to be free from all defects and irregularities.

78. General power of the Corporation to pay compensation—In any case not otherwise expressly provided for in this Ordinance, the Corporation may pay reasonable compensation to any person who sustains damage by reason of the exercise of any of the powers vested under this Ordinance in the Corporation or the Chairman or any officer or servant of the Corporation.

79. Compensation for damage to Corporation's property—(*1*) If on account of any act or omission, any person

has been convicted of any offence under this Ordinance, and by reason of such act or omission damage has occurred to any property of the Corporation, compensation shall be paid by the said person for the said damage, notwithstanding any punishment to which he may have been sentenced for the offence.

(2) In the event of dispute, the amount of compensation payable by the said person shall be determined by the Court before whom he was convicted of the said offence.

(3) If the amount of any compensation due under this section be not paid, the same shall be recovered under a warrant from the said Magistrate, as if it were a fine imposed by him on the person liable therefor.

CHAPTER XI

AUDIT AND ACCOUNTS

80. Accounts and audit—(1) The Corporation shall maintain proper accounts and other relevant records and prepare annual statement of accounts, including the profit and loss account and balance-sheet in accordance with such general directions as may be issued, and in such form as may be prescribed by the Provincial Government in consultation with the Comptroller and Auditor-General of Pakistan, hereafter in this section referred to as the Auditor-General.

(2) The accounts of the Corporation shall be audited by not less than two auditors who shall be chartered accountants within the meaning of the Chartered Accountants Ordinance, 1961, and appointed for the purpose by the Corporation with the previous approval in writing of the Provincial Government. XIII of 1961.

(3) Notwithstanding the audit provided for in sub-section (2), the Auditor-General shall audit or cause to be audited the accounts of the Corporation.

(4) The Corporation shall produce all accounts, books and connected documents and furnish such explanations and information as the Auditor-General or any officer authorized by him in this behalf may require at the time of audit.

(5) A statement of its accounts audited by the chartered accountants referred to in sub-section (1) shall be furnished to the Provincial Government by the Corporation, as soon as possible after the end of every financial year.

81. Annual Report—The Corporation shall, as soon as possible after the end of every financial year, submit an annual report to the Provincial Government on the conduct of its affairs, including the affairs of the subsidiary organizations, for that year.

CHAPTER XII

DISSOLUTION

82. Dissolution of the Corporation—(*1*) The Provincial Government may, by notification in the *Official Gazette*, declare that the Corporation shall be dissolved from such date as may be specified in the notification, and thereupon the Corporation shall stand dissolved on and from that date.

(*2*) On and from the date of the notification under sub-section (*1*),—

(a) all properties, funds and dues which immediately before the said date were vested in or were realizable by the Corporation shall vest in and be realizable by the Provincial Government;

(b) all liabilities which, immediately before the said date were enforceable against the Corporation shall be assumed by, and be enforceable against the Provincial Government; and

(c) for the purpose of completing the execution of any scheme or project sanctioned under this Ordinance which has not been fully executed by the Corporation and of realizing properties, funds and dues referred to in clause (*a*), the functions of the Corporation shall be discharged by the Provincial Government.

THE SCHEDULE

(*See* section 38)

Modifications in the Land Acquisition Act, 1894 (hereinafter referred to as the said Act.)

1. **Amendment of section 3**—*After* clause (*g*) in section 3 of the said Act, the following shall be deemed to have been *added*, namely :—

(h) "Corporation" means the East Pakistan Agricultural Development Corporation established under the East Pakistan Agricultural Development Corporation Ordinance, 1961 ;

(i) "net income" means the income from the land after deducting therefrom the ordinary expenses of cultivation, land revenue, rent and rates; and

(j) "rates" has the same meaning as in the Basic Democracies Order, 1959. P. O. 18 of 1959.

2. **Amendment of section 11**—Section 11 of the said Act shall be deemed to have been amended in the following manner, namely:—

(a) in clause (ii), the word "and" at the end shall be *deleted* ; and

(b) in clause (iii), for the full stop at the end, a semi-colon and word "and" shall be *substituted*, and thereafter the following new clause (iv) shall be *added*, namely :—

"(iv) the costs which, in his opinion, should be be allowed to any person who is found to be entitled to compensation, as having been actually and reasonably incurred by such person in preparing his claim and putting his case before the Collector. Provided that the Collector may disallow, wholly or in part, cost incurred by any person, if he considers that the claim made by such person for compensation is extravagant."

3. **Amendment of section 15**—In section 15 of the said Act, *for* the word and figures "23 and 24", the figures, a comma and the word and letter "23, 24 and 24-A" shall be deemed to have been *substituted*.

4. **Amendment of section 17**—*For* section 17 of the said Act, the following shall be deemed to have been *substituted*, namely:—

"17 (1) In cases where the Corporation considers it expedient to take possession of the land at any time before an award under section 11 of the said Act has been made, it shall notify this fact in writing to the Collector intimating in addition the date by which the land is required by it. The Collector shall after causing a notice to this effect to be served on the person interested take possession of the land and transfer it to the Corporation in whom it shall vest absolutely free from all encumbrances subject to its liability to pay any amount which may be incurred on account of acquisition.

(2) The Collector shall at the time of taking possession of land offer to the persons interested compensation for the standing crops and trees (if any) on such land and for any other damage sustained by them on account of dispossession and not excepted in section 24 or 24-A; and, in case such offer is not accepted, the value of such crop or trees and the

amount of such other damage shall be allowed for in awarding compensation for the land under the provisions herein contained".

5. **Transfer of land to Corporation**—*After* section 17 of the said Act the following shall be deemed to have been *inserted*, namely:—

"17-A. In every case referred to in section 16 the Collector shall, upon payment or tender of compensation for acquisition, make over charge of the land to the Corporation and the land shall thereupon vest in the Corporation, subject to the liability of the Corporation to pay any further compensation or costs which may be incurred on account of its acquisition".

6. **Amendment of section 18**—(*1*) The words "or the Corporation" shall be deemed to have been *added* between words "award" and "may" in sub-section (*i*) of section 18 of the said Act.

(*2*) The full stop at the end of sub-section (*1*) of section 18 of the said Act shall be deemed to have been *substituted* by a comma, and thereafter the words and full stop "or the amount of costs allowed" shall be deemed to have been *added*.

7. **Amendment of section 19**—*After* the words "amount of compensation", in clause (*c*) of sub-section (*1*) of section 19 of the said Act, the words "and of costs (if any)" shall be deemed to have been *inserted*.

8. **Amendment of section 20**—(*1*) *After* the words "amount of the compensation" in clause (*c*) of section 20 of the said Act, the words "or costs" shall be deemed to have been *inserted*.

(*2*) After the word "Collector" in clause (*c*) of section 20 of the said Act, the words "and the Corporation" shall be deemed to have been *inserted*.

(*3*) The existing section 20 shall be deemed to be sub-section (*1*) of that section and thereafter the following new sub-sections (*2*) and (3) shall be deemed to have been *added*, namely:—

"(2) The Corporation or any person to whom a notice is issued under clause (*b*) or (*c*) of sub-section (*1*) may support the award and may also make any cross objections which could have been made by an application for reference, provided such objection is filed within one month from the date of service of the notice under this section or within such further time as the Tribunal may see fit to allow.

(3) The provisions of the Code of Civil Procedure, 1908, relating to cross objections filed under that Code shall, so far as may be, apply to the cross objections filed under this Act". Act V of 1908.

9. **Amendment of section 23**—(*1*) In clause first and clause sixthly of sub-section (*1*) of section 23 of the said Act, for the words, figures, brackets and comma "at the date of the publication of the notification under section 4, sub-section (*1*)" and the words and figure "the time of the publication of the declaration under section 6" shall be deemed to have been *substituted* by the words, letters, and figures "on 1st September, 1961" at both the places.

(*2*) Sub-section (*2*) of section 23 of the said Act shall be deemed to have been *deleted*.

(*3*) At the end of section 23 of the said Act, the following new sub-section (*3*) shall be deemed to have been *added*, namely:—

"(3) For the purpose of clause "first" of sub-section (*1*) of this section the market value of the land shall be determined on the basis of the average net income of that land for the five years preceding 1st September, 1961:

Provided that if in any of these years that land or any portion of it has not been cultivated, the net income of such land or portion in that year shall be taken to be three times the land revenue or rent assessed thereon, or, if no land revenue or rent has been so assessed, three times the lowest rate of land revenue or rent assessed on neighbouring land:

Provided further that in respect of land which is situated in a town or village *abadi* or land which is attached to a house, manufactory, or other building and is reasonably required for the enjoyment and use of the house, manufactory, building, or the market value shall be the market value according to the use to which the land was being put on the 1st September, 1961".

10. **Amendment of section 24**—For clause seventhly of section 24 of the said Act, the following shall be deemed to have been *substituted*, namely:—

"Seventhly, any outlay on additions or improvements to land acquired, which was incurred after the date with reference to which the market value is to be determined, unless it is proved that these were necessary to keep the land in a fit state to command the profits accruing on the said date and were made in good faith and not in contemplation of proceedings for compulsory acquisition".

11. **Insertion of new section 24-A**—*After* section 24 of the said Act, the following new section 24-A shall be deemed to have been *inserted*, namely:—

"24-A. **Further provisions for determining compensation**—In determining the amount of compensation to be awarded for any land acquired for the Corporation under the East Pakistan Agricultural Development Corporation Ordinance, 1961, the Court shall also have regard to the following provisions, namely:—

(1) when any interest in any land acquired under this Act, has been acquired after the date with reference to which the market value is to be determined, no separate estimate of the value of such interest shall be made so as to increase the amount of compensation to be paid for such land;

(2) if, in the opinion of the Court, any building is in a defective state, from a sanitary point of view, or is not in a reasonably good state of repair, the amount of compensation for such building shall not exceed the sum which the Court considers the building would be worth if it were put into a sanitary condition or into a reasonably good state of repair, as the case may be, less the estimated cost of putting it into such condition or state; and

(3) if, in the opinion of the Court, any building which is used or is intended or is likely to be used for human habitation, is not reasonably capable of being made fit for human habitation, the amount of compensation for such building shall not exceed the value of the materials of the building, less the cost of demolishing the building".

12. **Amendment of section 25**—(*1*) In sub-section (*1*) of section 25, the words "or be less than the amount awarded by the Collector under section II" shall be deemed to have been *deleted*.

(*2*) The following shall be deemed to have been *added* as sub-section (*4*) of section 25, namely:—

"(4) The Court shall be competent to award an amount less than that awarded by the Collector, if, after consideration of any reference or cross objection, it is of the opinion that the amount awarded by the Collector is excessive".

13. **Amendment of section 31**—(*1*) *After* the words "the compensation" in sub-section (*1*) of section 31 of the said Act, and after the words "the amount of the compensation" in sub-section (*2*) of that section, the words "and costs (if any)" shall be deemed to have been *inserted* at both the places.

14. **Insertion of new section 48-A**—*After* section 48 of the said Act, the following new section 48-A shall be deemed to have been *inserted*, namely:—

"48-A. **Compensation to be awarded when land not acquired within three years**—(*1*) If within a period of three years from the date of the publication of the notification under section 34 of the East Pakistan Agricultural Development Corporation Ordinance, 1961, in respect of any land, the Collector has not made an award under section 11 with respect to such land, the owner of the land shall, unless he has been to a material extent responsible for the delay, be entitled to receive compensation for the damage suffered by him in consequence of the delay.

(2) The provisions of Part III shall apply, so far as may be, to the determination of the compensation payable under this section."

15. **Amendment of section 49**—*After* sub-section (*1*) of section 49 of the said Act, the following shall be deemed to have been *inserted*, namely:—

"(1a) For the purpose of sub-section (*1*), land which is held with and attached to a house and is reasonably required for the enjoyment and use of house shall be deemed to be part of the house".

16. **Amendment of section 50**—In sub-section (*2*) of section 50 of the said Act, the words "or the East Pakistan Agricultural Development Corporation" shall be deemed to have been *added* between the words "concerned" and "may' and the proviso to this sub-section shall be deemed to have been *deleted*.

17. **Deletion of section 54**—Section 54 of the said Act shall be deemed to have been *deleted*.

Dacca,
The 15th October, 1961.

M. AZAM KHAN,
Governor of East Pakistan.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

Extraordinary
Published by Authority

TUESDAY, OCTOBER 17, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

WORKS DEPARTMENT

Transport

NOTIFICATION

No. WTC/2E-1/61/635—13th October 1961—It is hereby notified for general information that examinations of the candidates desirous of obtaining endorsement on their Certificates of Competency for knowledge of the Pussur River under section 20 read with section 31 of the Inland Mechanically Propelled Vessels Act (Act I of 1917) will be held in the office of the Port Director, Chalna Anchorage, P.O. Town Khalishpur, Khulna, in the months of October, November and December 1961 as noted below.

Applications must reach the office of the Port Director, Chalna Anchorage, Khulna, not later than 5 (five) days prior to the date of examinations and applicants should produce Certificate, Service Book and other testimonials (if any) at the time of examination.

Date of Examinations.

Tuesday, the 24th October, 1961.
Wednesday, the 25th October, 1961.
Thursday, the 26th October, 1961.
Tuesday, the 21st November, 1961.
Wednesday, the 22nd November, 1961.
Thursday, the 23rd November, 1961.
Saturday, the 23rd December, 1961.
Tuesday, the 26th December, 1961.
Wednesday, the 27th December, 1961.

By order of the Governor,

S. AHMED,
Section Officer to the Govt. of East Pakistan

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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TUESDAY, OCTOBER 17, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME (POLITICAL) DEPARTMENT

Section II

NOTIFICATION

No. 421 Poll. (II)—17th October 1961—Whereas it appears that the leaflets and pamphlet specified in the Schedule contain matters which tend to encourage or incite persons to interfere with the administration of law and maintenance of law and order;

And whereas the said leaflets and pamphlet contain matters which tend to bring into hatred or contempt the Government established by law and a certain section of the citizens of Pakistan and to excite disaffection towards Government;

Now, therefore, in exercise of the powers conferred by section 36 of the Press and Publication Ordinance, 1960 (Ordinance No. XV of 1960), the Governor is pleased to declare all copies of the said leaflets and pamphlet described in the Schedule below and all other documents containing copies, re-prints, translation or extracts therefrom, wherever found, to be forfeited to the Government.

The Schedule

(1) Bengali leaflet captioned "হুশিয়ার মুসলমান", published by Shamsul Haque (Faridpuri), Principal, Jamea Qurania Shahi Masjid, Lalbagh, Dacca—1, and printed on behalf of Barura Islamia Darul Ulum Madrassa.

1975

(2) Bengali leaflet captioned "Declaration" বা "ঘোষণা", published by Maulana Shamsul Huda (Panchbagi).

(3) Bengail pamphlet captioned "Birth Control" বা "জন্মনিয়ন্ত্রণ" by Maulana Md. Shamsul Huda (Panchbagi), published by Md. Rashiduzzaman, Village and P. O. Panchbagh, Mymensingh and printed by M. A. Rahim at Oriental Press, 13, Karkunbari Lane, Dacca—1.

By order of the Governor,

A. Q. ANSARI,

Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

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THURSDAY, OCTOBER 19, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Welfare Section

NOTIFICATION

No. 457 LW/1S-6/60—11th October 1961—In exercise of the powers conferred by section 12 of the Industrial Statistics Act, 1942 (XIX of 1942), the Governor is pleased to make the East Pakistan Industrial Labour Statistics Rules, 1961 after having been published the same in *Dacca Gazette, Extraordinary*, dated 4th April 1961, Part I, at pages 669-691, namely :—

THE EAST PAKISTAN INDUSTRIAL LABOUR STATISTICS RULES, 1961.

1. **Short title**—(*1*) These rules may be called the East Pakistan Industrial Labour Statistics Rules, 1961.

(2) They shall come into force at once.

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

(*a*) the "Act" means the Industrial Statistics Act, 1942 (XIX of 1942).

(*b*) "form" means a form appended to these rules.

(*c*) "Statistics Authority" means the Director of Labour, East Pakistan, appointed by the Provincial Government under section 4 of the Act for the purposes of collection of statistics under clause (*b*) of sub-section (*1*) of section 3.

(*d*) "section" means a section of the Act.

(*e*) "Industrial establishment" means—

(*i*) an industrial establishment as defined in clause (*ii*) of section 2 of the Payment of Wages Act, 1936 (IV of 1936), or

(*ii*) a factory as defined in clause (*j*) of section 2 of the Factories Act, 1934 (XXV of 1934), or

(*iii*) a factory as defined under sub-section (*l*) of section 5 of the Factories Act, 1934 (XXV of 1934).

(*f*) "commercial establishment" means any company or firm or any person or body of persons engaged in trade and commerce, and includes—

(*i*) an esablishment engaged in banking or insurance,

(*ii*) a financial corporation,

(*iii*) an establishment engaged in the business of Brokers dealing in shares, stocks and securities and commodities,

(*iv*) an establishment engaged in the business of advertising consultants,

(*v*) an establishment engaged in transport services,

(*vi*) an establishment engaged in the business of forwarding and clearing agents,

(*vii*) any other establishment which in the opinion of the Provincial Government is a commercial establishment and is declared to be such by notification in the *Official Gazette*,

but does not include an industrial establishment.

(*g*) "occupier" means a person who has ultimate control over the affairs of an establishment and where the affairs of the establishment are entrusted to a managing agent, such agent shall be deemed to be the occupier of the establishment.

(*h*) "shopkeepers" means a shopkeeper as defined under sub-section (*16*) of section 2 of the East Bengal Shops and Establishments Act, 1951 (East Bengal Act No. I of 1952).

3. (*1*) The Statistics Authority may serve a notice as and when necessary on the occupier of industrial or commercial establishments or any persons requiring him to furnish any information or return to the Statistics Authority, in the prescribed form.

(*2*) The notice referred to in sub-rule (*1*) shall be given in Form F.

4. **Submission of returns**—On receipt of a notice from the Statistics Authority under sub-rule (*1*) of rule 3—

(*1*) a factory or occupier of the factory shall submit to the Statistics Authority—

(*a*) a monthly return on employment and earnings in Form A within 7 days after the expiry of the month to which the return relates.

(*b*) an annual return on labour welfare in Form B within 30 days after the expiry of the reporting year to which the return relates.

(*2*) Every occupier of industrial or commercial establishments shall submit to the Statistics Authority—

(*a*) a quarterly return on employment and umemployment in Form C within a fortnight of the close of the quarter to which the return relates.

(*b*) an annual return on wage rates and number of workers in form D within 30 days after the expiry of the year to which the return relates.

(*c*) a return on industrial disputes in Form E within 24 hours of the occurrence of the strike or lockout.

5. **Collection of retail price of consumer goods**—All shopkeepers shall render necessary assistance to such officer of the Directorate of Labour as may be authorised by the Statistics Authority for collection of retail prices of consumer goods.

6. **Extension of time for submission of return**—The Statistics Authority may, if he is satisfied that sufficient reasons exist, allow an extension of reasonable time for submission of the return.

Confidential.

FORM A

[See *rule 4 (1)(a) of the East Pakistan Industrial Labour Statistics Rules, 1961.*]

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DIRECTOR OF LABOUR, DACCA

Monthly return on employment, labour turn-over, man-hours worked and wages and salaries paid for the month of.....19.....

(*Authorised by the Industrial Statistics Act 1942*)

Please submit this return within 7 days after the expiry of the month to which the return relates. The instruction should be read carefully before filling in the return. A type-writer may preferably be used.

A—Description of Factory.

Name of factory.....

Section of Factories Act, 1934, i.e., 2 (*J*) or 5(*I*) under which registered.....

.....

Name of occupier.....

Location of factory .....

.....

Mailing address of factory .....

First three principal products or/and activities with percentage of total production during the last calendar year—

(1)
(2)
(3)

Number of days factory worked during the month.....

Do not use Industry Factory Location Employment size.

Employment and labour turnover, man-hours worked and

Category of Workers.	Employment and labour turnover.					
	Number of persons on the last working day of the previous month.	Number of persons recruited during the month.	Number of persons separated during the month on account of—			
			Voluntary resignation.	Dismissal.	*Lay-off.	Other reasons.
1	2	3	4	5	6	7
A. Full-time regular employees— 1. Production workers— (a) Production workers except working supervisors.						
(b) Working supervisors.						
2. Non-production employees— (a) Administrative and professional.						
(b) Clerical ..						
(c) Service ..						
B. Part-time regular employees (specify category).						
C. Production workers employed casually.	×		×	×	×	×

D. Amount paid or payable to contractor for the work done during the month of.....

*Please mention the reasons of lay-off.....

This is to certify that the information supplied in the return

Dated.....

wages and salaries paid and amount paid to contractors.

man-hours worked and wages and salaries paid.					
Number of persons on the last working day of the month.	Man-hours worked.		Wages and salaries paid including dearness allowance (in rupees).		Other allowances paid except dearness allowance (in rupees).
	Normal.	Overtime.	Normal.	Overtime.	
8	9	10	11	12	13
	×	×			
	×	×			
	×	×			
×					

Rs.....

is, to the best of my knowledge and belief, accurate and complete.

Signed.....
Name in block letters.....
Designation.....
Telephone No.....

Instructions for filling in the monthly return on employment, labour turnover, man-hours worked and wages and salaries paid.

1. Regular employees mean those employees who are engaged on monthly employment basis, *i.e.*, usually for not less than a month whether paid daily or weekly. The persons employed through contractor though working regularly are not to be included.

2. Full-time employees mean those regular employees who are usually engaged for normal hours of work as defined in the Factories Act, 1934.

3. Part-time employees mean those regular employees who are employed for less than normal hours of work.

4. Persons employed casually mean those who are recruited and separated daily.

5. Production workers mean those engaged on essentially manual work directly associated with the actual production of goods and services. It includes those engaged in fabricating, processing, assembling, packing and handling of goods. Persons engaged on installing, maintenance and repair of machinery are to be included. Working supervisors mean those who supervise and direct the production workers in the performance of their duties.

6. Non-production employees mean administrative, professional, clerical and service staff. Administrative and professional employees include salaried directors, managers, administrative supervisors, accountants, engineers, research workers, etc. Clerical employees included white-collar office employees not included in the category of administrative and professional employees. Service employees include watchmen, drivers, peons, sweepers, etc.

7. Number of persons on the last working day of the month mean all persons in the attendance register of the factory on that date whether present, absent or on leave.

8. Number of persons separated during the month mean terminations of employment initiated by either employer or employees during the month. It also includes those who were separated on the last working day of the previous month after working on that date.

9. Voluntary resignations mean terminations of employment initiated by employees on account of personal, financial or social reasons.

10. Dismissals mean terminations of employment initiated by the employer on account of employees' incompetence, violation of rules, dishonesty, insubordination, habitual absenteeism, etc.

11. Lay-offs mean terminations of employment initiated by the employer without prejudice to the employees on account of decrease in demand of goods, shortage of raw materials, installing of new machinery, breakdown of machinery, natural calamities, etc.

12. Other separations mean terminations of employment for reasons other than those mentioned above such as retirement, permanent disability and death

13. Man-hour means one hour of time spent in work by one production worker. Man-hours worked include all time actually spent by production workers in the production activities of the factory. Normal hours of work and overtime are to be shown separately. Time paid for but not spent in work is to be excluded.

14. Normal man-hours mean the period of hours required to be worked as given in the Factories Act, 1934.

15. Overtime means the period of work over and above the normal period of work and for which extra payment is made at higher rate.

16. Wages and salaries mean cash payments made to employees as remuneration for their work *plus* dearness allowance and payment for leaves. Conveyance, house-rent, compensatory and other such allowances are to be excluded. Cash payment such as bonuses, contributory provident fund, gratuity are also not to be included.

17. Other allowances mean conveyance, house-rent, compensatory and other such allowances. Bonuses, contributory provident fund, gratuity, etc., are not to be included.

18. Contractor means a person or an establishment which engages production workers to do a particular job of the factory for fixed payment. These production workers are not directly paid by the factory. Payment is made to the contractor who in turn pays to the production workers. This amount includes contractor's profit and the wages of production workers. The wages of piece-rated employees, *i.e.*, who are paid according to the volume of work done by them are not to be included.

19. The return should cover only those persons who are working within the factory premises.

Confidential.

FORM B

[See *rule 4(1)(b) of the East Pakistan Industrial Labour Statistics Rules, 1961.*]

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DIRECTOR OF LABOUR, DACCA

Annual return on Labour Welfare for the year.....

(Authorised by the Industrial Statistics Act, 1942)

Please read the instructions carefully before filling in this return and use typewriter, if possible and submit the return within 30 days after the expiry of the reporting year covered or after the receipt of notice whichever is later.

(a) Description of Factory.

Name of factory .....

Section of Factories Act, 1934, i. e. 2(J) or 5(I) under which registered.....

.....

Name of occupier .....

Location of factory.....

.....

Mailing address of factory.....

.....

First three principal products or/and activities with percentage of total production.....

Do not use	Industry	Factory	Location	Employment size.

(b) Employment.

Category of employees.	Maximum No. engaged on any day during the year.		No of employees on the last pay-roll of the year.
	Number.	Date.	
Production Workers ..			
Non-production employees ..			

(c) Welfare facilities provided.

Tick the facilities provided to employees and fill in the corresponding table :

Contributory provident fund ☐

Non-contributory provident fund. ☐

Bonus .. .. ☐

Attendance bonus .. ☐

Gratuity .. .. ☐

Paid holidays and leaves .. ☐

Creches .. .. ☐

Medical .. ☐

Transport .. .. ☐

Housing .. .. ☐

Educational .. ☐

Recreation .. .. ☐

Vocational training .. ☐

Canteen .. .. ☐

Cheap and free consumer's goods. ☐

(c) 1—Provident Fund.

Description.	Production workers.			Non-production employees.		
	No. of employees covered.	Amount contributed during the year (in Rs.).		No. of employees covered.	Amount contributed during the year (in Rs.).	
		By employees.	By employers.		By employees.	By employers.
Contributory Provident fund.						
Non-Contributory Provident fund.						

(c) 2—Bonuses, Gratuity and Pension.

Description.	Production Workers.		Non-production employees.	
	No. of employees covered.	Amount paid during the year (in Rs.).	No. of employees covered.	Amount paid during the year (in Rs.).
Bonus				
Attendance bonus ..				
Gratuity				
Pension				

(c) 3—Transport, Medical and Insurance facilities.

Description.	Production workers.		Non-production employees.	
	No of employees covered.	Amount spent during the year (in Rs.)	No.of employees covered.	Amount spent during the year (in Rs.).
Transport				
Medical				
Insurance				

(c) 4—Paid Holidays and Leaves.

Description.	Number of leaves admissible during the year.					
	Production workers.			Non-production employees.		
	With pay.	With half pay.	Without pay.	With pay.	With half pay.	Without pay.
Festival holiday ..						
Privilege leave ..						
Medical leave ..						
Casual leave ..						
Weekly rest day ..						

(c) 4(i)—Housing facilities.

Description.	Total number of houses.	Number of workers housed.		No. of houses provided free of rent.	No. of houses rented.	Total amount of rent realised. (in Rs.).
		Production workers.	Non-production employees.			
Pucca Houses:						
One roomed ..						
Two roomed ..						
Three roomed ..						
More than three roomed						
Kutcha Houses:						
One roomed ..						
Two roomed ..						
Three roomed ..						

(c) 4 (ii)—Housing facilities.

Amenities.	Number of houses providing amenities.						
	Pucca Houses.				Kutcha Houses.		
	One roomed.	Two roomed.	Three roomed.	More than 3 roomed.	One roomed.	Two roomed.	Three roomed.
Electricity ..							
Kitchen ..							
Independent taps.							
Independent baths.							
Independent latrines.							

In case of common taps, latrines and urinals, give their number excluding shown above.

No. of taps..... No. of latrines..... No. of urinals.....

(c) 5—Educational facilities.

Description.	For employees' children.			Adult education.		
	No. of students at the close of the academic year.		Amount spent during year (in Rs.).	No. of workers receiving education at the close of the year.	No. of dependants receiving education at the close of the year.	Amount spent during the year. (in Rs.).
	Children of production workers.	Children of non-production employees.				
Up to 5th Class						
Above 5th Class						

(c) 6—Vocational Training facilities.

Number trained.		Allowances paid before employment during the year (in Rs.).	Amount spent during the year other than allowances paid before employment (in Rs.).
Before employment.	After employment.		

(c) 7—Recreation, Canteen and Cheap and Free Consumers' goods facilities.

Amount spent during the year (in Rs.).		
Recreation.	Canteen.	Cheap and Free Consumers' goods.

(c) 8—Creches facilities.

No. of Infants who can be accommodated at a time.	Amount spent during the year.	Area covered by creche premises (in sq. ft.).	No. of attendants.

(d) House-rent and Conveyance allowance.

If no housing and transport facilities are provided, give the following information:

Description.	Production workers.		Non-production employees.	
	No. of employees covered.	Amount paid during the year. (in Rs.).	No. of employees covered.	Amount paid during the year. (in Rs.).
House-rent allowance ..				
Conveyance allowance				

(e) Welfare Staff.

Description.	No. on the last pay-roll of the year.	Total salaries paid during the year.
IDoctors		
NNurses		
TTeachers		
DDrivers		
CCanteen employees ..		
WWelfare Officers		
OOthers, specify		

This is to certify that the information supplied in this return, is to the best of my knowledge and belief, accurate and complete.

Signed.....

Name in block letter.....
.....

Designation .....

Telephone No.....

Date.....

Instructions for filling in the Annual Return on Labour Welfare.

1. Production workers mean those engaged on essentially manual work directly associated with the actual production of goods and services. It includes those engaged in fabricating, processing, assembling, packing and handling of goods. Persons engaged on installing, maintenance and repair of machinery are to be included. Working supervisors, *i.e.*, those who supervise and direct the production workers in the performance of their duties are also included.

2. Non-production employees mean administrative, professional, clerical and service staff. Administrative and professional employees include salaried directors, managers, administrative supervisors, accountants, engineers, research workers, etc. Clerical employees include white-collar office employees not included in the category of administrative and professional employees. Services employees include watch-men, drivers, peons, sweepers, etc.

3. Contributory provident fund means the fund raised by regular deduction from wages and salaries of the employees at a fixed rate and contributed by the employers at a rate usually equal to that of employees' contribution.

4. Non-contributory provident fund means regular deduction from wages and salaries of the employees at a fixed rate without any contribution by the employer.

5. Bonus means occasional payment made to the employees over and above the payment made to them for the work they perform. It is generally paid yearly, half-yearly or on festivals from profits earned by the factory. It excludes attendance bonus.

6. Attendance bonus means the payment made to employees as a reward for their regularity in attending to their duties.

7. Gratuity means lump sum payment made to the retiring employees in consideration of their past service.

8. Pension means periodical (usually monthly) payment made to retired employees in consideration of their past service. The amount paid as pension bears a fixed ratio to the wages or salaries of the employee when in service.

9. Transport facility means the provision of transport from the residences of employees to the place of duty either free of charge or at a subsidised rate.

10. Medical facility means provision of medical treatment to its employees and their families at the expense of the factory in its own dispensary or by arrangement with a doctor. In case there is no such arrangement it means the provision of receiving back the expenses incurred by employees in getting treatment from other doctors. The amount spent on persons injured in course of duty is not to be included which is covered by the Workmen's Compensation Act, 1923.

11. Insurance facility means providing the benefit of insurance to its employees by contributing either whole or part of the premium amount.

12. Paid holidays and leaves mean such days of absence from work for which employees are considered on duty for the purpose of payment of wages and salaries.

13. Pucca house means a house completely made of baked bricks, stones, cement and clay products of permanent nature including those made of reinforced concrete and pre-fabricated materials.

14. Kutcha house means any house made of unbaked bricks, mud, thatched material, wood, asbestos and metallic sheets, etc.

15. Area covered by a house means the area covered by its boundaries including compound, etc.

16. Educational facilities mean the provision of imparting general education. It includes schools for the children of employees and adult education centres for workers and their dependents.

17. Vocational training means the imparting of theoretical as well as practical training to its production workers which is required by them for performance of their duties.

18. Recreation facilities mean the provision of sports activities, indoor games, dramatic clubs, cinema shows, radios, books, journals, newspapers, etc., for the use and enjoyment of employees.

19. Canteen means a premises where drinks, eatables and allied provisions are served and sold.

20. Cheap and free consumers' goods mean the supply of consumers' goods to the employees on cheap rates and/or free of cost.

21. Creches mean the premises where infants of female employees are looked after during working hours.

22. Welfare staff means those who are employed to provide all types of welfare facilities to the employees. The persons incharge of general labour welfare are also included.

23. Amount paid or spent mean the actual expenditure incurred during the year whether recurring or non-recurring.

24. The Return should cover only those welfare facilities which are provided to the persons who are working within the Factory premises.

Confidential.

FORM C.

[See *rule 4(2) (a) of the East Pakistan Industrial Labour Statistics Rules, 1961*]

GOVERNMENT OF EAST PAKISTAN
OFFICE OF THE DIRECTOR OF LABOUR, DACCA.
Quarterly Return on Employment and Unemployment.

(*Authorised by the Industrial Statistics Act, 1942.*)

Please submit the Return to this Office within a fortnight of the close of the quarter to which the Return relates.

This Return is subject to verification by examination of the books of the concern by authorised representatives, properly identified between hours of 6 a.m. and 6 p.m.

11. Return for the quarter ending.....

22. Name of Establishment.....

33. State whether Pakistani or Foreign or Joint concern.....
.....

44. Name of the occupier.....

55. Nature of work performed.....
.....

66. Postal address of the establishment.....
.....

PART

Employment position during

Period or date for which figures are to be furnished.	Covenanted post.			Other supervisory posts.			Clerical posts.		
	Pak.		Non-Pak.	Pak.		Non-Pak.	Pak.		Non-Pak.
	M a	NM b	c	M a	NM b	c	M a	NM b	c
I. Employement position at the close of the last quarter.									
II. No. of employees dismissed or discharged during the quarter.									
III. No. of employees transferred to other branch during the quarter.									
IV. No. of employees retired or quitted during the quarter.									
V. No. of employees appointed during the quarter.									
VI. No of employees promoted during the quarter.									
VII. No of employees came on transfer from other station during the quarter.									
VIII. No. of apprentices appointed during the quarter.									
IX. Employment position on the last day of the quarter.									

Instruction.

1. Pak=Pakistani.
2. Non-Pak=Non-Pakistani.
3. M=Muslim.
4. NM=Non-Muslim.
5. Figures in row IX for any particular column will be the result of the total of the rows I, V, VI, VII and VIII of that column *minus* the total of rows II, III and IV of the corresponding column.
6. Nationalities of the non-Pakistanis and their number should be shown in a separate sheet.

I

the quarter ending.....

Watch and Ward as security staff.			Skilled workers.			Semi-skilled workers.			Unskilled workers.		
Pak.		Non-Pak.	Pak.		Non-Pak.	Pak.		Non-Pak.	Pak.		Non-Pak.
M a	NM b	c	M a	NM b	c	M a	NM b	c	M a	NM b	c

PART II

Salaries and wages paid during the the quarter ending.....

Category of employees.	Pakistani.		Non-Pakistani.
	M	NM	
	In Rs.	In Rs.	In Rs.
1. Covenanted posts			
2. Other supervisory posts			
3. Clerical posts			
4. Watch and ward or security staff			
5. Skilled workers			
6. Semi-skilled workers			
7. Unskilled workers			

Instruction.

Nationalities of Non-Pakistanis and salaries/wages paid to them should be shown in a separate sheet.

PART III

Vacancies and Forecasts.

Number of actual vacancies during the quarter ending.....							Forecast of likely increase (+) or decrease (—) during next three months.						
Covenanted posts.	Other supervisory posts.	Clerical posts.	Watch and ward or security staff.	Skilled workers.	Semi-skilled workers.	Unskilled workers.	Covenanted posts.	Other supervisory posts.	Clerical posts.	Watch and ward or security staff.	Skilled workers.	Semi-skilled workers.	Unskilled workers.

Date .....

Telephone No.....

Signature.....

Name in block letters.....

Designation .....

Confidential.

FORM D

[See *rule 4(2)(b) of the East Pakistan Industrial Labour Statistics Rules, 1961.*]

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DIRECTOR OF LABOUR, DACCA

Annual Return on wage rates and number of workers employed in each occupation for the year.....

(Authorised by the Industrial Statistics Act, 1942.)

[Please submit this return to this office on or before February, 19..... under registered cover.]

Identification.

Name of the establishment .....

Name of the occupier .....

Postal address of the establishment .....

Annual Return on wage rates and number of workers employed in each occupation for the year ending.....

Occupation.	Rate of wages of each occupation.						Number of workers.		
	Time rate (1).		Rate of D.A.		Piece rate.				
	Maximum.	Minimum.	Maximum.	Minimum.	Average earning per worker per day.	No. of workers covered.	Skilled.	Semi-skilled.	Un-skilled.
1	2	3	4	5	6	7	8	9	10

Certified that the information supplied in this Return is, to the best of my knowledge and belief, complete and correct.

Signature.....

Dated..... Name in block letter.....

Telephone No..... *Designation*.....

(1) Indicate whether the rate is on daily, weekly or monthly basis.

Confidential.

FORM E.

[See rule 4(2) (c) of the East Pakistan Industrial Labour Statistics Rules, 1961.]

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DIRECTOR OF LABOUR, DACCA

Return on Industrial Disputes.

PART I.

(Authorised by the Industrial Statistics Act, 1942.)

Identification.

1. Name of establishment .....
2. Name of occupier .....
3. Location of the establishment—
   (a) Street or village.....
   (b) Post Office.....
   (c) Police Station.....
   (d) Steamer Ghat.....
   Railway Station.....
   (e) District.....
   (f) Division.....
4. (a) Please state the name of your major product.....
   (b) If no major product made, mention major activities or services done.....

A. Information of strike or lock-out.

[*Information of any stoppage of work due to strike or lock-out should be supplied to the Statistics Authority within 24 hours of the occurrence of the strike or lock-out.*]

1. Working strength of the Factory/Establishment on the last working day preceding the day of strike or lock-out.....

Workers/ Employees.	Men.	Women.	Children.	Total.
Production workers ..				
Non-production employees ..				
Total ..				

2. State whether strike or lock-out.....

3. Date and hour of stoppage of work.....

4. If strike, is it directed or organised by any union or unions? Yes..... No.....

5. If yes, give the name/s of the union/s with the address/es of its/their headquarters—

1. Name .....

Address.....

2. Name..... .....

Address.....

3. Name.....

Address.....

B. Number of workers/employees involved in the strike or lock-out.

	Production workers.	Non-production employees.
*Directly ..		
*Indirectly ..		
Total ..		

6. Causes of the strike or lock-out, also attach a copy of the notice given (if any).

7. Remarks:—

*"*Directly involved*" and *"*Indirectly involved*"—A worker will be taken to be directly involved in a strike if he or she takes an active part in the strike, i.e., the worker himself or herself refrains from attending to his or her works; and a worker will be taken as indirectly involved in a strike if his or her work comes to a standstill in spite of his or her willingness to work as a result of the active participation of other workers in the strike. Suppose there are 200 persons in a factory, 150 of whom stop work and the rest cannot work as their work is dependent on the work of the striking persons. In this case 150 persons will be taken as directly involved in the strike and 50 persons as indirectly involved.

This is to certify that the information supplied in this report is, to the best of my knowledge and belief, complete and accurate.

Dated..... *Signed*.....

Telephone No. ..... Name in block letter.....

.....

Telegraphic address..... *Designation* .....

Confidential.

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DIRECTOR OF LABOUR, DACCA

Return on Industrial Dispute.

PART II.

(Authorised by the Industrial Statistics Act, 1942.)

Identification.

1. Name of establishment.....
2. Name of occupier.....
3. Location of the establishment—

(a) Street or village.....
(b) Post Office.....
(c) Police Station.....
(d) Steamer Ghat.....
Railway Station.....

(e) District .....
(f) Division .....

4. (a) Please state the name of your major product.....

(b) If no major product made, mention major activities or service done.....
....

Weekly report of strike or lock-out.

[Information in this form should be supplied to the Statistics Authority every Saturday as long as the strike or lock-out continues.]

1. Report for the week between.....19..... and.....19.....
2. Date of commencement of the stoppage of work.....
3. Date of submission of the report in Part I.....
4. No. of workers/employees involved in the strike or lock-out during each day of the week ending on.....19.....

Day.	Date.	No. of production workers.		No. of non-production employees.	
		*Directory.	*Indirectly.	*Directly.	*Indirectly.
SSunday					
MMonday					
TTuesday					
WWednesday ..					
TThursday					
FFriday					
SSaturday					

5. Holiday during the week, including weekly holiday (name the days).....
.....

6. Has there been any attempt at the settlement of the strike or lock-out ? (*Check one*): Yes..... No.....

7. If the answer against item 6 is in the affirmative, give particulars of the results obtained .....
.....

8. Remarks—

*"*Directly involved*" and *"*Indirectly involved*"—A worker will be taken to be directly involved in a strike if he or she takes an active part in the strike, i.e., the worker himself or herself refrains from attending to his or her work : and a worker will be taken as indirectly involved in a strike if his or her work comes to a standstill in spite of his or her willingness to work as a result of the active participation of other workers in the strike. Suppose there are 200 persons in a factory or establishment ; 150 of whom stop work and the rest cannot work as their work is dependent on the work of the striking persons. In this case 150 persons will be taken as directly involved in the strike and 50 persons as indirectly involved.

This is to certify that the information supplied in this report is, to the best of my knowledge and belief, complete and accurate.

Date..... *Signed* .....

Telephone No..... Name in block letter.....

Telegraphic address..... *Designation*.....

Confidential.

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DIRECTOR OF LABOUR, DACCA

Return on Industrial Dispute.

PART III

(Authorised by the Industrial Statistics Act, 1942.)

Identification.

1. Name of establishment.....
2. Name of occupier.....
3. Location of the establishment—

(a) Street or village.....
(b) Post Office.....
(c) Police Station.....
(d) Steamer Ghat .....
Railway Station.....
(e) District .....
(f) Division .....

4. (a) Please state the name of your major product.....
(b) If no major product made, mention major activities or services done
.....

***Termination report of strike or lock-out.**

[*Information in this form should be submitted to the Statistics Authority within 7 days of the termination of the strike or lock-out.*]

1. Date and hour of commencement of the strike or lock-out.....
2. Date and hour of termination of the strike or lock-out.....
3. Which of the following methods was used in negotiating the final settlement (*Check one*):

(a) Direct negotiation between the employees and the employers or their representative.....
(b) Mediation by Government officials.....
(c) Arbitration by Industrial Tribunal Court.....
(d) Other methods (specify).....

4. Terms of settlement—

(a) Is the settlement written or oral ? (*Check one*): Written.....
Oral.....
(b) If the settlement is written, attach a copy of the terms.
(c) If oral, specify the terms in a separate sheet.

5. Change in the condition of employment as a result of the settlement of the dispute (to be specified in a separate sheet, if necessary).

6. Total mandays lost as a result of the stoppage of work.....

7. Amount of wages lost during the period of strike or lock-out.....

8. Estimated value of production lost due to the strike or lock-out.....

9. Remarks.....

This is to certify that the information supplied in this report is, to the best of my knowledge and belief, complete and accurate.

Dated.....
Telephone No. .....
Telegraphic address .....

Signed .....
Name in block letters.....
.....
Designation.....

*1. Strike or lock-out should be considered to have terminated when 75 per cent. of workers/employees (including new ones employed in replacement of old) involved have resumed work.

FORM F

(See *rule 3 of the East Pakistan Industrial Labour Statistics Rules, 1961.*)

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DIRECTOR OF LABOUR, DACCA

NOTICE

No....., Dacca, the....., 196....

The
Manager / Occupier of.....
.....

In pursuance of section 5(*1*) of the Industrial Statistics Act, 1942 read with the East Pakistan Industrial Labour Statistics Rules, 1961, you are required to submit to the undersigned statistical information and returns relating to.....
.....
.....
.....
.....
in the prescribed form.....(copies enclosed) immediately or at such times and intervals and in accordance with the instructions contained in the said form.

The submission of these returns is compulsory. Wilful refusal, negligence in submitting the return, or deliberate submission of false information is an offence under section 8 of the Industrial Statistics Act, 1942.

If you require any clarification or guidance for filling up these returns please contact the undersigned.

Director of Labour,
East Pakistan.

By order of the Governor,

S. S. KHAN,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

SATURDAY, OCTOBER 21, 1961

PART IA—Orders and Notifications by the Government of Pakistan republished for general information.

[*Republished from the Gazette of Pakistan, Extraordinary, dated the 29th September 1961.*]

GOVERNMENT OF PAKISTAN

MINISTRY OF NATIONAL RECONSTRUCTION AND INFORMATION

Basic Democracies Wing

PRESIDENT'S ORDER NO. 13 OF 1961

THE BASIC DEMOCRACIES (AMENDMENT) ORDER, 1961

Whereas it is expedient further to amend the Basic Democracies Order, 1959 (P.O. No. 18 of 1959), for the purposes hereinafter appearing;

Now, therefore, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make the following Order:—

1. **Short title and commencement.**—(1) This Order may be called the Basic Democracies (Amendment) Order, 1961.

(2) It shall come into force at once.

2. **Insertion of new Article 10A, P.O. No. 18 of 1959.**—In the Basic Democracies Order, 1959 (P.O. No. 18 of 1959), after Article 10, the following new Article 10A shall be inserted, namely:—

"10A. **Division, amalgamation and reconstitution of local councils.**—(1) The Government may, by notification in the official Gazette, divide a local council into two or more local councils or amalgamate two or more local councils into one local council or after *the limits of any local council* and may specify in the notification the consequences which will ensue upon the publication of such notification.

(2) When as a result of such division or amalgamation any new local council is constituted in accordance with the provisions of this Order or in the manner specified in the notification the existing members of any local Council so divided or amalgamated shall become the members of such local council or councils as the Government may by notification in the official Gazette specify, as if each such member had been elected or appointed, as the case may be, to that council.".

MOHAMMAD AYUB KHAN, H. Pk., H. J.,
Field Marshal,
President.

Rawalpindi, the 26th September, 1961.

HASHIM RAZA, S.Q.A., C.S.P.,
Secretary.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette Extraordinary

Published by Authority

TUESDAY, OCTOBER 24, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. 763-FD (Int.)—23rd October 1961—In exercise of the powers conferred by clause (*a*) of paragraph 2 of the East Pakistan Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1956, as subsequently amended, the Governor is pleased to authorise the Deputy Commissioner, Rajshahi, to exercise the powers of the Provincial Government under paragraphs 4 and 6 of the said Order period up to the month of November 1961 in respect of manufacture of gur out of red-rot affected sugarcane and import of sugarcane apparatus for the purpose within any area under his jurisdiction which is declared a zone under paragraph 3 of the said Order.

By order of the Governor,

G. AHMED,

Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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ıw Zone 'C' Order
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(2) When as a
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Rawalpindi, the 26

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

TUESDAY, OCTOBER 24, 1961

PART IIIB—Martial Law Regulations, Orders, etc., promulgated by the Administrator, Martial Law in East Pakistan.

LAW (LEGISLATIVE) DEPARTMENT

NOTIFICATION

No. 784 L.—24th October 1961—The following Martial Law Zone 'C' Order made by the Commander, 14 Division and Administrator, Martial Law in East Pakistan, is hereby published for general information:

MARTIAL LAW ZONE 'C' ORDERS

Order No. 129

1. Martial Law Zone 'C' order No. 126 para 1 is amended as under:—

"Brigadier SARDAR ALI is appointed Sub Administrator, Martial Law, RAJSHAHI and KHULNA Civil Divisions less BAKARGANJ district, in place of Brigadier GHULAM MOHAMMAD with effect from 17th October 1961."

2. Martial Law Zone 'C' order No. 124 as amended from time to time is further amended as under:—

(a) Against Special Military Court No. 1, *for* "Major SALAHUDDIN MOHAMMAD AMIN", *read* "Major AGHA AMAN SHAH".

(b) Against Summary Military Court No. 2, *for* "Major SALAHUDDIN MOHAMMAD AMIN", *read* "Major AGHA AMAN SHAH".

3. Cases already arraigned before the courts will be completed by the existing courts.

Place: DACCA CANTT.
Dated: *19th October 1961.*

KHAWAJA WASIUDDIN, *Brigadier*,
Martial Law Administrator, Zone 'C'
(East Pakistan).

By order of the Administrator,
Martial Law, Zone 'C'
(East Pakistan),

M. A. AMEEN,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department
In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

WEDNESDAY, OCTOBER 25, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Welfare Section

NOTIFICATION

No. 492 LW/1A-22/61—25th October 1961—The following draft of an amendment which, in exercise of the powers conferred by section 14 of the Bengal Maternity Benefit Act, 1939 (Bengal Act IV of 1939), the Governor proposes to make in the East Bengal Maternity Benefit Rules, 1953, is hereby published for information of persons likely to be affected thereby.

Gazette

1961

or of East Pakistan.

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II of 1961

AMENDMENT)

blic

Now, therefore, in pursuance of t
clamation of the seventh day of Oct
received the previous instructions
Governor of East Pakistan is ple
powers enabling him in that beha
gate the following Ordinance, na

Short
extent
comme
ment.

(1) This Ordinance may
Safety (Amendment) Or
extends to the whole
shall come into for

3. Cases already arr
existing courts.

Place: DACCA CANT
Dated: 19th October 19

The draft will be taken into consideration on or after the 4th December 1961 and any objection or suggestion with respect thereto which may be received by the undersigned on or before that date will be duly considered.

Draft Amendments

In the said rules—

(i) in rule 5, *for* the words "Deputy Labour Comm ssioner" twice occurring, *substitute* the words "Deputy Director of Labour";

(ii) in rule 7, *for* the words "Deputy Labour Commissioner" *substitute* the words "Deputy Director of Labour";

(iii) in rule 8, *for* the words "Labour Commissioner" twice occurring, *substitute* the words "Director of Labour"; and

(iv) in rule 9, *for* the words "Deputy Labour Commissioner", *substitute* the words "Deputy Director of Labour".

By order of the Governor,
S. S. KHAN,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

WEDNESDAY, OCTOBER 25, 1961

PART IIIA—Ordinances promulgated by the Governor of East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XXXVIII of 1961

THE EAST PAKISTAN PUBLIC SAFETY (AMENDMENT) ORDINANCE, 1961

AN

ORDINANCE

further to amend the East Pakistan Public Safety Ordinance, 1958.

Whereas it is expedient further to amend the East Pakistan Public Safety Ordinance, 1958, for the purpose and in the manner hereinafter appearing; E. P Ord. LXXVIII of 1958.

Now, therefore, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and having received the previous instructions of the President, the Governor of East Pakistan is pleased, in exercise of all powers enabling him in that behalf, to make and promulgate the following Ordinance, namely:—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the East Pakistan Public Safety (Amendment) Ordinance, 1961.

(*2*) It extends to the whole of East Pakistan.

(*3*) It shall come into force at once.

Amendment of section 2 of E.P. Ord. No.LXXVIII of 1958.

2. The East Pakistan Public Safety Ordinance, 1958 (hereinafter referred to as the said Ordinance), shall be amended in the manner hereinafter provided.

Amendment of section 2 of E.P. Ord. No.LXXVIII of 1958.

3. In section 2 of the said Ordinance, in clause (*4*), *for* the full-stop at the end of sub-clause (*p*), a semi-colon shall be *substituted* and thereafter the following new sub-clause shall be *added*, namely:—

"(q) to cause, carry out or aid the import or export of any goods across customs frontiers of Pakistan in contravention of any law or without lawful authority;".

Insertion of new sections 17A and 17B in E. P. Ord. No.LXXVIII of 1958.

4. *After* section 17 of the said Ordinance, the following new sections shall be *inserted*, namely:—

"Power to regulate place of detention.

17A. Every person in respect of whom a detention order has been made shall be liable—

(*a*) to be detained in such place and under such conditions, as the Provincial Government may by general or special order, specify; and

(*b*) to be removed from one place of detention to another place of detention whether within East Pakistan or from East Pakistan to West Pakistan by an order of the Provincial Government:

Provided that no order shall be made under clause (*b*) for the removal of a person from East Pakistan to any place in West Pakistan except with the consent of the Government of West Pakistan.

Detention orders not to be invalid or inoperative merely on certain grounds.

17B. No detention order shall be invalid or inoperative merely by reason—

(*a*) that the person to be detained thereunder is outside the territorial jurisdiction of the Provincial Government or officer making the order, or

(*b*) that the place of detention of such person is outside the said limits.".

Dacca;
The 20th October 1961.

M. AZAM KHAN,
Governor of East Pakistan.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

Section IX

NOTIFICATION

No. S/IX/3B-6/60/1487—25th October 1961—In exercise of the powers conferred by sub-rule (*1*) of rule 4 of the East Pakistan Declaration of Municipalities Rules, 1960, the Governor, on the recommendation of the Municipal Committee of Dacca, the Deputy Commissioner, Dacca and the Commissioner, Dacca Division, is pleased to declare his intention to include the areas described in the Schedule below and declared to be an urban area under this Department notification No. S/IX/3B-6/60/1343, dated 29th September 1961 within the limits of the Dacca Municipality for the purposes of the Municipal Administration Ordinance, 1960:

Schedule

	Name of mauza.	J. L. No.
1.	Goran	288
2.	Ramchandrapur	240
3.	Enayatganj	350

2. In exercise of the powers conferred by sub-rule (*1*) of rule 4 of the said rules and in supersession of all previous notifications issued in this behalf, the Governor is further pleased to define that the limits of the Dacca Municipality, after such inclusion, shall

Bagh No. 286 and Goran No. 288 at the north-east corner of cadastral survey plot No. 784 of mauza Rajar Bagh No. 286. Then along the eastern boundary line of mauza Goran No. 288, the line runs towards north till it meets the junction of mauza Goran No. 288, mauza Meradia No. 289 and mauza Nandipara No. 317.

North—The line starts from the junction of mauza Goran No. 288, mauza Meradia No. 289 and mauza Nandipara No. 317 and it runs towards west and then to south along the northern boundary line of the mauza Goran No. 288 till it meets the junction of mauza Shahar Khilgaon No. 287 and Meradia No. 289. Then along the northern boundary line of mauza Shahar Khilgaon No. 287, the line runs towards west and then to north till it meets the boundry line of mauza Ulon No. 290 at the corner of C. S. Plot No. 370 in mauza Shahar Khilgaon No. 287. Then along the northern boundary line of mauza Shahar Khilgaon, the line runs towards west till it meets the boundary line of mauza Bara Mag Bazar No. 280. Then along the northern boundary line of mauza Bara Mag Bazar, the line runs towards west till it meets the eastern boundary line of mauza Tejkunipara No. 278. Then along the boundary line of mauza Tejkunipara, the line runs towards north and then to west till it meets the boundary line of mauza Kafrul No. 268. Then along the northern boundary line of mauza Kafrul No. 268, the line runs towards north and then west till it meets Mymensingh Road

Amendment of section 2 of E.P. Ord. No.LXXVIII of 1958.

2. The East Pakistan Public Safety Ordinance, 1958 (hereinafter referred to as the said Ordinance), shall be amended in the manner hereinafter provided.

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"(q) to cause, carry out or aid the import or export of any goods across customs frontiers of Pakistan in contravention of any law or without lawful authority;".

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"Power to regulate place of detention.

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(*a*) to be detained in such place and under such conditions, as the Provincial Government may by general or special order, specify; and

(*b*) to be removed from one place of detention to another place of detention whether within East Pakistan or from East Pakistan to West Pakistan by an order of the Provincial Government:

Provided that no order shall be made under clause (*b*) for the removal of a person from East Pakistan to any place in West Pakistan except with the consent of the Government of West Pakistan.

Detention orders not to be invalid or inoperative merely on certain grounds.

17B. No detention order shall be invalid or inoperative merely by reason—

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Schedule

	Name of mauza.	J. L. No.
1.	Goran	288
2.	Ramchandrapur	240
3.	Enayatganj	350

2. In exercise of the powers conferred by sub-rule (*1*) of rule 4 of the said rules and in supersession of all previous notifications issued in this behalf, the Governor is further pleased to define that the limits of the Dacca Municipality, after such inclusion, shall be as follows:

East—The Municipal boundary line starts from the Buriganga River at a point on the south-east corner of cadastral survey plot No. 178 in mauza Jurain, jurisdiction list No. 337. Then it runs towards east and then to north along the mauza boundary line and then to east and again to north till it meets the eastern boundary line of mauza Jatrabari No. 339. Then the line runs towards north along the eastern boundary line of mauza Jatrabari No. 339 till meets the eastern boundary line of mauza Brahman Chiran No. 342. Then along the eastern boundary line of Brahman Chiran No. 342 it runs towards north till it meets the eastern boundary line of mauza Rajar Bagh No. 286. Then along its eastern boundary line, the line runs towards north and then to east and again to north till it meets the junction of mauza Rajar Bagh No. 286 and Goran No. 288 at the north-east corner of cadastral survey plot No. 784 of mauza Rajar Bagh No. 286. Then along the eastern boundary line of mauza Goran No. 288, the line runs towards north till it meets the junction of mauza Goran No. 288, mauza Meradia No. 289 and mauza Nandipara No. 317.

North—The line starts from the junction of mauza Goran No. 288, mauza Meradia No. 289 and mauza Nandipara No. 317 and it runs towards west and then to south along the northern boundary line of the mauza Goran No. 288 till it meets the junction of mauza Shahar Khilgaon No. 287 and Meradia No. 289. Then along the northern boundary line of mauza Shahar Khilgaon No. 287, the line runs towards west and then to north till it meets the boundry line of mauza Ulon No. 290 at the corner of C. S. Plot No. 370 in mauza Shahar Khilgaon No. 287. Then along the northern boundary line of mauza Shahar Khilgaon, the line runs towards west till it meets the boundary line of mauza Bara Mag Bazar No. 280. Then along the northern boundary line of mauza Bara Mag Bazar, the line runs towards west till it meets the eastern boundary line of mauza Tejkunipara No. 278. Then along the boundary line of mauza Tejkunipara, the line runs towards north and then to west till it meets the boundary line of mauza Kafrul No. 268. Then along the northern boundary line of mauza Kafrul No. 268, the line runs towards north and then west till it meets Mymensingh Road and then it runs towards north-west and then again to west till it meets the northern boundary line of mauza Barabo No. 238, at the junction of mauza Kafrul No. 268 and mauza Barabo No. 238. Then along the northern boundary line of mauza Barabo No. 238, the line runs towards west and then to south and then again to west till it meets the eastern boundary line of mauza Ram Chandrapur No. 240. Then along the eastern boundary line of mauza Ram Chandrapur No. 240, the line runs towards north-west and then to south and then to north-west and then to south-west till it meets the "River Turag".

West—The line starts from the north-west corner of the mauza Ram Chandrapur No. 240 at the Bank of "River Turag" it runs towards south till it meets the boundary line of mauza Katasur No. 242 at the

bank of the "River Turag" and then along the bank of the River Turag, the line runs towards south and then to east till it meets the north-west corner of the mauza Srikhanda at the bank of the "River Turag". Then along the northern boundary line of mauza Srikhanda No. 243, the line runs towards east and then to south till it meets the junction of mauza Katasur and Baraikhali. Then along the northern boundary line of mauza Baraikhali, No. 244 the line runs towards east till it meets the junction of mauza Raj Mushuri No. 255. Then along the western boundary line of Raj Mushuri No. 255, the line runs towards south and then to east and then to south till it meets the junction of mauza Shibpur No. 254 and mauza Uttar Sonatangar No. 245. Then along the western boundary line of mauza Shibpur No. 254, the line runs towards south till it meets the northern boundary line of mauza Gazmohal No. 248. Then along the northern boundary line of mauza Gazmohal No. 248, the line runs towards west till it meets the junction of Uttar Sonatangar No. 245 and mauza Dakshin Sonatangar No. 246. Then along the western boundary line of mauza Gazmohal No. 248, the line runs towards south till it meets the boundary line of mauza Kalunagar No. 351. Then along the northern boundary line of mauza Kalunagar, the line runs towards west and then to south till it meets the western boundary line of mauza Enayetganj No. 350. Then along the western boundary line of mauza Enayetganj No. 350, the line runs towards south-east till it meets the present Municipal Boundary line at the south-east corner of mauza Enayetganj No. 350.

South—The river Buriganga.

3. A map showing the boundaries of the areas proposed to be included and also the boundaries of the said Municipality after the proposed inclusion of the areas is available for inspection at the office of the Municipality and also in the office of the Commissioner and Deputy Commissioner, Dacca during office hours.

4. Any objection or suggestion to the said proposal in writing, which may be received by the undersigned from any inhabitant of the said Municipality or the area concerned through the Deputy Commissioner, Dacca within thirty days from the date of publication of the notification under sub-rule (2) of of the said rules, will be taken into considaration.

5. This cancels this Department's notification No. S/IX/3B-6/60/1344, dated 29th September 1961.

By order of the Governor,

D. M. ISA,

Section Officer to the Govt. of East Pakistan.

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THURSDAY, OCTOBER 26, 1961

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Welfare Section

NOTIFICATION

No. 496 L W/2F-5/61—26th October 1961—In exercise of the powers conferred by the proviso to sub-section (*4*) of section 44 of the Factories Act, 1934 (XXV of 1934), the Governor is pleased to extend in the public interest the operation of the term of the exemption Order No. 3481/F, dated the 26th August 1961, issued by the Chief Inspector of Factories,

East Pakistan, exempting all adult workers of Messrs M. M. Ispahani Ltd., Cotton Mills, Pahartali, Chittagong, from the provisions of section 38 of the said Act, on Fridays only in order to enable them to say their Jumma prayers for a further period of six months with effect from the 28th October 1961 on condition that the period of work along with intervals for rest shall not spread over more than 13 (thirteen) hours in that day.

By order of the Governor,
FASAHAT HUSSAIN,
Section Officer to the Govt. of East Pakistan.

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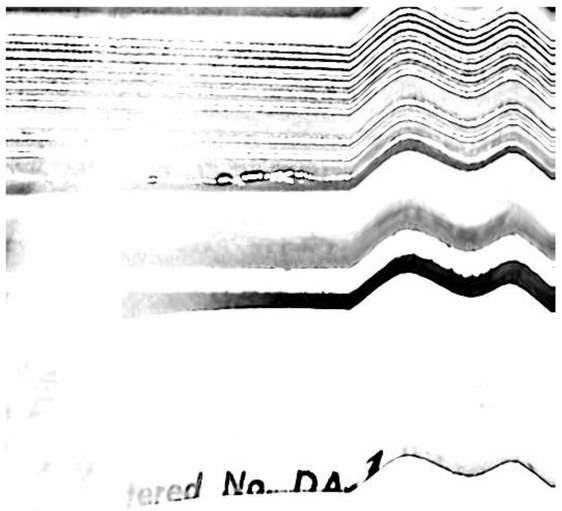
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GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE PRESIDENT, SUMMARY MILITARY COURT No. 6, SYLHET

ORDERS

No. 1104(2)—14th October 1961—Pursuant to authority vested in me under CMLR, I, Major Azharul Haq Choudhury, hereby direct Ratish Ranjan Acharjee, son of late Ramdayal Acharjee, formerly of Schani, police-station Jagannathpur, Sylhet and now living at Karichhara Cachar (India) and Abdur Rashid, son of Haji Tasir Ali of Sridhara, police-station Beanibazar, district Sylhet, to appear in my Court at Sylhet on 15th November 1961 at 07-30 hours to stand trial in Jagannathpur P.S. case No. 6(11)60-GR-780/60, State *versus* Earshad Ulla and others under section 58/5.

It is further notified that if the abovenamed person fail to appear on the said date they will be declared as absconder and tried *in absentia* under the above mentioned CMLR.

Pursuant to authority vested in me under CMLR I, Major Azharul Haq Choudhury, hereby direct Aftab Mia, son of Abdur Rahman of Matiura-Dubboxi, police-station Beanibazar, district Sylhet, to appear in my Court at Sylhet on 15th November 1961 at 07-30 hours to stand trial in Beanibazar P.S. case No. 4(6)61-ZGR-202/61, State *versus* Geasuddin, under section 27 MLR.

It is further notified that if the abovenamed person fails to appear on the said date, he will be declared as absconder and tried *in absentia* under the abovementioned CMLR.

AZHARUL HAQ CHOUDHURY, *Major*,
President, SMC No. 6, Sylhet.

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GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE COMMISSIONER, DACCA DIVISION

NOTICE

Election of Members of the Council of the Azad Government of State of Jammu and Kashmir.

No. 63K.E.—23rd October 1961—Three members out of the representative of refugees from the Province of Kashmir and three members out of the representatives of refugees from the Province of Jammu residing in Pakistan will be elected according to the programme enclosed. The programme and electoral rolls are published in my office. Anybody willing to see them may do so on any working day during office hours.

Blank nomination form may be had from my office on payment of Re. 1·00 per copy.

ALI HUSAIN,
Private Secretary to the Commissioner,
Dacca Division.

ELECTION PROGRAMME

PROGRAMME OF ELECTION OF THE COUNCIL, AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR

(1) Electoral College List shall be published on ...	23-10-1961
(2) Notice inviting nomination papers shall be published on	23-10-1961
(3) Nomination papers shall be presented on	26-10-1961
(4) List of nomination papers shall be posted up	26-10-1961
(5) Nomination papers shall be scrutinised and the statement showing the result of scrutiny shall be posted up ..	28 and 30-10-1961
(6) Applications for revision of orders passed on scrutiny of nomination papers may be presented	2-11-1961
(7) Revision applications shall be decided on	4-11-1961
(8) Candidates may withdraw their candidature on	6-11-1961
(9) List showing names of candidates and symbols allotted to them shall be posted up ..	7-11-1961
(10) Polling programme shall be published on	11-11-1961
(11) Polls shall be held on ...	18-11-1961
(12) Ballot papers shall be counted and the result of election shall be declared on ..	25-11-1961.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-33/61/947 L/II—28th October 1961—Whereas Dacca District Transport Employees' Union, 102, Nawabpur Road, Dacca, representing the Transport Employees applied to the Industrial Court, East Pakistan at Dacca for adjudication of the Industrial Dispute between Dacca District Transport Employees' Union, 102, Nawabpur Road, Dacca, representing the Transport Employees and Mr Sk. Rahmatullah and 188 others;

And whereas the said Industrial Court has given its award as appended hereto;

Now, therefore, in pursuance of sub-section (2) of section 12 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), the Governor is pleased to direct that the said award be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,

S. S. KHAN, C.S.P.,

Dy. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT, EAST PAKISTAN

INDUSTRIAL DISPUTE CASES NOS. 15-19, 22-48 AND 78-234 OF 1960.

Dacca District Transport Employees' Union, 102, Nowabpur Road, Dacca, representing the Transport Employees.....*1st party.*

versus

Mr Sk. Rahmatullah and 188 others....*2nd parties.*

Before:

M. A. Jalil, Esq. .. Chairman, Industrial Court, Government of East Pakistan.

Mr K. M. Nasirul Haque, Mr K. M. M. Abdul Qader } *Members.*

AWARD

The 189 disputes abovementioned have been filed under section 5(5) of the Industrial Disputes Ordinance, 1959. The first party in all these cases is the Dacca District Transport Employees' Union representing the drivers and conductors of buses plying on certain routes in the city of Dacca and its suburbs and the second party in each case is the individual bus owner concerned.

2. Of the 189 cases before us 63 concern the Town Service, 81 Dacca-Narayanganj Service, 8 Dacca-Mahakhali (*via* Air Port), 29 Dacca-Tongi-Kaliakair Service and 8 Narayanganj-Adamjee Service. The cases have been heard together, the points in dispute being identical. The drivers and conductors were represented before us by Mr Solaiman, the President of the East Pakistan Federation of Labour and the bus owners in most of the cases by Mr Lutfar Rahman, an Officer of the Motor Vehicles Association who has specially authorised by them to appear and conduct the cases on their behalf. In a few cases the bus owners were unrepresented.

3. The present dispute is a sequel to an earlier dispute of the year 1957 which was referred by Government to an Industrial Tribunal, consisting of a single member, namely, Mr M. A. Awal, for adjudication. In the reference to the Tribunal the dispute was shown to exist between the Dacca District Transport Employees' Union representing the employees and the Dacca Motor Vehicles Association representing the employers. One of the contentions raised before the Tribunal on behalf of the second party was that no relationship of employer and employees existed between the Dacca Motor Vehicles Association and the Drivers and Conductors on whose behalf the demands had been presented by the Dacca District Transport Employees' Union and that, therefore, the Tribunal had no jurisdiction to entertain the dispute. The Tribunal repelled this contention and gave an award on 4th February 1958 upholding some of the demands and rejecting the others. Against this award there was an appeal, by special leave, to the Supreme Court and their Lordships of the Supreme Court upheld the contention and allowed the appeal and set aside the award on 28th May 1959. After this decision of the Supreme Court the Dacca District Transport Employees' Union presented a charter of demands to the individual bus owners. The dispute was referred to a conciliation Officer for settlement and the Consiliation Officer having failed to effect a settlement these cases were filed.

4. The charter of demands covers the following matters:—

(i) Increase in pay;

(ii) Hours of work;
(iii) Overtime;
(iv) Commencement and conclusion of working hours.
(v) Garage book;
(vi) Weekly rest;
(vii) Service book;
(viii) Provident Fund or Gratuity;
(ix) Resting place;
(x) Medical facility;
(xi) Uniform; and
(xii) Leave with pay.

5. Before we proceed to discuss the merits of the demands we consider it necessary to place on record our observations on the working of the existing system of Road Transport service in the City of Dacca and its suberbs. The Road Transport Service in this city was, until lately, an out and out private undertaking with all the advantages and disadvantages inherent in such undertakings. For various reasons, which need not be discussed here, private ownership failed to meet the increasing requirements of an ever-increasing population and provide the facilities and comforts which a modern transport system should offer. In order to mitigate the difficulties and hardships of the travelling public, Government, in 1961, set up a Corporation under the name and style of the East Pakistan Road Transport Corporation empowering it to operate motor transport on any route it may think fit. The Corporation has since put on the roads of Dacca a large number of imported buses called State Buses and these buses are operating on some of the more important routes.

6. The greater part of the service, however, still remains in the hands of private individuals who are carrying on the trade as heretofore and are permitted even now to ply buses on some of the routes taken over by the Corporation so that until the Corporation is able to take over the entire industry the people may not be inconvenienced.

7. These private owners or many of them are members of an association called the Dacca Motor Vehicles Association. The Association's principal, if not the only, task is time-keeping for which it collects a daily subscription from the owners at the rate of Re.1 to Rs.2 per bus according to certain standards. It augments its revenue, however, by selling printed tickets to bus owners and imposing fine on the drivers in the event of their failure to keep time.

8. The employment of drivers and conductors, the payment of their wages and the determination of their service conditions have always been the bus owner's prerogative and responsibility. Wages are generally fixed by mutual agreement between employers and employees and the practice has been to fix the same on daily basis. And since wages are paid on daily basis "No work, no pay" has been the condition of their service. The Dacca Motor Vehicles Association has no voice and does not interfere in these matters. Nor does it exercise any direct control over the drivers and conductors except in the matter of time-keeping.

9. Most of the bus owners own only one bus ; a few more than one. They have no office ; they deal with the drivers and conductors themselves. In making appointments they follow no uniform system or rule. Nor do they pay wages according to any graduated scale. No record of service is maintained, nor is any leave on full pay granted. No uniform is supplied, nor is any medical relief provided as a rule.

10. Many of the buses again are old models and being old and worn out have to be withdrawn from service from time to time. And withdrawal of buses for repairs or maintenance means periodical non-employment of the drivers and conductors. Thus the drivers and conductors are not assured of a steady income and a secure tenure of service.

11. No account is kept of the time of taking and making over charge of the vehicles by the drivers and conductors, or the over-time, if any, they are required to perform. Nor is any account kept of the daily income and expenditure. There is a printed form called "Way Bill" for keeping accounts of these matters. One page of this "Way Bill" is meant for the details of income and expenditure, the columns for income showing the number of tickets issued and the number of tickets sold and the columns for expenditure, the expenditure under different heads. The other page is meant for such details as the number of trips covered each day, the time of arrival at and departure from a particular station, late arrivals, if any, and fines imposed for such late arrivals. And in both the pages there are columns for showing the time of taking and making over charge of the vehicle. It is admitted, however, that the "Way Bill" is not maintained except in so far as it relates to arrival and departure in which the Motor Vehicles Association is interested for pecuniary reasons and which are filled up by its employees. The drivers and conductors are required to fill up the relevant columns regarding income, expenditure, etc. They scarcely do it and the bus owners do not insist upon their entering the details. The bus owners who have been examined before us have all stated that it is no use maintaining the "Way Bill" when they have to depend for their earnings upon the good will and honesty of the drivers and conductors and rest content with whatever they give them at the end of the day. They say that tickets are issued for the satisfaction of passengers only. The actual number of tickets sold do not represent the actual number of passengers travelling by the bus. In 1959 they introduced a system of checking but the system proved a failure due to the opposition of the drivers and conductors and was abandoned.

12. From the evidence it appears also that drivers and conductors seldom stick to their jobs for long. They leave their jobs sometimes for reasons of health or in quest of better prospects but very often after a quarrel over the earnings. In order that they may be assured of a steady income and a secure tenure the bus owners may reasonably expect to be assured of a loyal, faithful and continuous service.

13. With these preliminary observations we now turn to the demands made on behalf of the drivers and conductors.

Demand No. 1:

14. *Increase in pay*—It is urged that the drivers and conductors should be paid on monthly basis instead of daily as at present and that their monthly pay including dearness allowance should be fixed at Rs.200 and Rs.130 respectively.

15. It appears that at the time of the partition the drivers and conductors used to get wages at the rate of Rs.70 and Rs.45 respectively per month. In 1950 or thereabout they started an agitation as regards their pay and service conditions, and the dispute was referred to a Tribunal for adjudication. The Tribunal's award was published in the *Dacca Gazette*, dated 28th March 1951. The Tribunal fixed the drivers' pay at Rs.70 and the conductors' pay at Rs.35 and also gave the former Rs.30 and the latter Rs.15 as dearness allowance. On this footing the drivers' total emoluments amounted to Rs.100 and the conductors' Rs.50. But the Tribunal fixed a

lump sum of Rs.55 for the conductors. This rate of wages was in vogue for some time. After that there were further increments by mutual agreement or otherwise. In 1957 there was another dispute between the parties and it was also referred to a Tribunal. This Tribunal gave his award on 4th February 1958 and the award was published in the *Dacca Gazette, Extraordinary*, dated 26th February 1958. The award has also been published in the Pakistan Labour Cases, 1960 at p.p. 1159-1174. It appears that in that case the drivers and conductors demanded a basic pay of Rs.120 and Rs.90 respectively *plus* dearness allowance at Government rate. The Tribunal found upon the evidence that the drivers of Town Service Buses were getting Rs.6 to Rs.7, the drivers of Dacca-Tongi Service Rs.4 and the drivers of Dacca-Narayanganj Service Rs.4 to Rs.5 per day. He found also that the conductors were getting Rs.100 to Rs.120 a month. Accordingly he came to a conclusion that the drivers and conductors were getting more than what they demanded and therefore, the demand for a basic pay of Rs.120 and Rs.90 *plus* dearness allowance at Government rate was pointless. This award, as we have noticed earlier, was set aside on the ground of want of jurisdiction. Now, during the pendency of the Supreme Court appeal there was a tripartite agreement as regards the pay and service conditions of the drivers and conductors. According to this agreement the drivers were required to be paid at the rate of Rs.4-12 and the conductors at the rate of Rs.3-4 per day and to be given a guaranteed minimum of 23 days' work in a month. The agreement also contained a clause to the effect that "in case the Supreme Court upholds the Tribunal's award the terms thereof shall be implemented in conformity with the said decision of the Supreme Court and that in case the award is set aside by the Supreme Court the agreement will immediately stand cancelled".

16. It is admitted on all hands that at present the drivers and conductors are paid at the following rates—

Routs.	Drivers.	Conductors.
Town Service ..	Rs.6 per day	Rs.4 per day.
Dacca-Narayanganj Service.	Rs.4 to Rs.6 per day.	Rs.2-8 to Rs.3-8 per day.
Dacca-Mohakhali Service.	Rs.4 to Rs.6 per day.	Rs.3 to Rs.4 per day.
Dacca-Tongi-Kaliakair Service.	Rs.6 per day	Rs.4 per day.
Narayanganj-Adamjee Service.	Rs.6 per day	Rs.4 per day.

17. On behalf of the drivers and conductors it is urged that the present rate of remuneration is insufficient and that the drivers and conductors should be paid at a uniform rate of Rs. 200 and Rs. 130 respectively.

18. In determining the question of wages of drivers and conductors the following points must be taken into account:—

(i) The paying capacity of the bus owners;

(ii) Rise, if any, in the cost of living since the last revision of wages; and

(iii) Wages paid by other comparable institutions.

19. The first point, namely, the paying capacity of the bus owners involves and investigation into the average daily income and expenditure, taxes and maintenance charges and depreciation allowance. There should be no difficulty in ascertaining the taxes payable or the depreciation allowance permissible. But the same cannot be said of the income and expenditure and the maintenance charges. As no documentary evidence is forthcoming in proof of these things the only alternative left open to us is to depend upon the meagre oral evidence that the parties have adduced, though we feel that any decision based upon such evidence is bound to be unsatisfactory.

20. Now, as regards the Town Service which plies 84 buses, the only evidence on record consists of the evidence of the 1st party witness No. 2 Abdur Rashid, driver of bus No. 1072 and the 2nd party witness No. 2 Syed Anwar Ali, owner of bus No. 918. Witness Abdur Rashid says nothing as regards the income or expenditure; he merely states that he is required to make 6 round trips daily. Witness Syed Anwar Ali's evidence is more precise. He states that each bus on this route makes 3/4 trips each shift (and there are two shifts) and that each trip yields a gross income of Rs. 15/16 on an average. In view of the fact that there are 84 buses on this route and that each round trip takes 1 hour 35 minutes from Postogola starting station and nearly 1 hour from Motijheel starting station we accept Syed Anwar Ali's evidence on this point. As for the daily expenditure Syed Anwar Ali gives the following figures—

	Rs.	as.	p.
Petrol—14 gallons for 7 trips— ..	51	0	0
Mobil	1	0	0
Subscription levied by the Motor Vehicles Association.	1	14	0
Driver	6	0	0
Conductor	4	0	0
Helper	2	8	0
	66	6	0

The witness omitted to include the wages paid to the driver, conductor and helper employed in the other shift. If their wages are included, as they must be, the daily expenditure would amount to Rs. 78-14. So that upon the evidence on record the average daily income amounts to Rs.108 and the average daily expenditure to Rs.78-14. That means the average daily income minus expenditure is Rs. 30 approximately.

21. As regards the Dacca-Narayanganj Service two witnesses have deposed before us and they are first party witness No. 3 Omar Ali, driver of bus No. 1162 and second party witneess No. 1 Chandra Mohan Banik, owner of bus No. 1031. Omar Ali states that each bus on the Dacca-Narayanganj route makes two to five trips daily and that each trip yields Rs. 30/32. Chandra Mohan Banik states, however, that this bus gets chance for 1½ trips only and that the total earnings as per 1½ trips do not exceed Rs. 32/35. Having regard to the admitted fact that there are 103 buses on this route, that the buses start serially at intervals of 10 minutes, that each round trip takes about 2 hours and that after each round trip a bus has to wait for several hours together to get its next turn, we have no hesitation in holding that the trips that a bus can make on this route must be very few and far between and that in such conditions two trips per day may be taken to be the average. Now, the ordinray fare from Dacca to Narayanganj and *vice versa* is annas 6. For accommodation in the cabin (these buses have a small cabin behind the driver's seat) the fare is annas 7. There are intermediate stations for which the fare is annas 4 to annas 5. Witness Chandra Mohan Banik's bus has accommodation for 38 passengers. Assuming that the bus carries passengers to the fullest capacity from one terminus to another and assuming also that the average fare is annas 6 the total earnings in two round trips cannot be more than Rs.57. According to the witness the daily expenditure excluding repair charges for 1½ trips is roughly Rs. 28. On that footing the daily

expenditure for two round trips would be Rs. 32 approximately. Therefore, the average daily income minus expenditure amounts to be Rs. 25.

22. As regards the Dacca-Tongi-Kaliakair Service two witnesses, namely, Syed Mobarak Hossain, driver of bus No. 33 and Abdus Sadeque, conductor of bus No. 34 have deposed on the side of the 1st party and one witness, namely, Md. Daud Khan, owner of bus No. 760 has deposed on the side of the 2nd party. It is admitted that there are 43 buses on this route out of which 16 go up to Kaliakair and the rest up to Tongi and that Tangi is 14 miles distant from Dacca and Kaliakair 21 miles distant from Tangi. It is admitted also that each single trip from Dacca to Tangi takes 1 hour 10 minutes and from Tangi to Kaliakair one hour.

The first party witnesses have not stated how many trips each bus ordinarily makes on this route. The second party witness Daud Khan states that those bound for Kaliakair make 1/1½ trips and those for Tangi 3/3½ trips per day. This evidence remains uncontroverted and we accept it.

As regards the daily income witness Syed Mobarak Hossain states that each trip yields Rs. 125 on an average, while the witness Abdus Sadeque states that the daily income amounts to Rs. 150 or so. This evidence is challenged by the second party witness Md. Daud Khan who states that his driver and conductor usually give him Rs.50 to Rs. 70 for each round trip and that on some occasions, which are rare, they give him Rs. 70 to Rs. 80. To our mind, Daud Khan's version is more reasonable and probable and we accept it. Taking the average of Rs. 50 and Rs. 80 as the income per trip the daily income amounts to Rs. 97.

The first party witnesses have given no account of the daily expenditure. According to the figures furnished by withness Daud Khan the daily expenditure amounts to Rs. 53. Thus the daily income minus expenditure is Rs. 44 approximately.

23. Then we come to Dacca-Mohakhali *via* Air Port Service. As regards this service there is only the evidence of first party witness No. 4 Noab Mia, driver of bus No. 3489. He states that he is to make 10/11 trips per day and that the daily income from these trips varies from Rs. 130 to Rs. 150. In their written statements the bus owners stated that a bus on this route cannot make more than 5/7 trips per day. None of the bus owners, however, has come to support this contention. In view of the admitted fact that there are 15 buses on this route we are inclined to hold that a bus on this route can at best make 8 round trips. On the estimate of the earnings given by the first party witness Noab Mia the daily earnings as per 8 trips cannot be more than Rs. 112 on an average. It is admitted however, that many other services including the East Pakistan Road Transport Corporation are plying buses on this route or at least the greater part of it and that consequently the income of thse buses has dwindled to some extent. Such being the case, we assess the daily earnings of a bus on this route at Rs. 100. There is no evidence as regards the expenditure. The distance covered by these buses being almost the same as that covered by the Town Service buses we think that the daily expenditure in these cases should also be the same, namely, Rs. 78-14. Therefore, the average daily income minus expenditure amounts to Rs. 21.

24. Lastly, there is the Narayanganj-Adamjee Service. Neither party has adduced any evidence with respect to this service. Therefore, we are not in a position to come to any finding as regards the paying capacity of the owners of buses on this route.

25. Thus the daily income minus the daily expenditure accruing to each bus owner is as follows:

	Rs.
Town Service	30
Dacca-Narayanganj Service	25
Dacca-Tongi-Kaliakair Service ..	44
Dacca-Air Port-Mahakhali Service ..	21

26. It is admitted on all hands that all these buses other than those plying on the Dacca-Kaliakair route have to be withdrawn from service for 4 to 5 days in a month for repairs or maintenance. As for the Dacca-Kaliakair Service witness Daud Khan states that his bus has to be withdrawn from service for 3 days in a week for repairs, ect. This may be an exaggeration. But in view of the fact that the route covered by this Service is, for the most part, unmetalled the wear and tear must be greater and necessarily the repairs and maintenance must take take a longer period. Therefore, we think that the average monthly income should be assessed on the basis of 23 working days in a month in the case of Dacca-Kaliakair Service and 25 working days in the case of other services. On that basis the average monthly and annual income per bus work out as follows:

Service	Monthly. Rs.	Annual. Rs.
Town Service	750	9,000
Dacca-Narayanganj Service ..	625	7,500
Dacca-Tongi-Kaliakair Service	828	9,936
Dacca-Air Port-Mohakhali Service.	525	6,300

27. These figures do not represent the net income, however. A bus owner has to pay the annual road tax at the rate of Rs. 25 per seat, which means that for a bus with carrying capacity of 34 passengers Rs. 850 and for a bus with carrying capacity of 38 passengers Rs. 950 has to be paid annually as road tax. Besides the road tax, a bus owner has to pay Rs. 50 as Surcharge, Rs. 30 as Finance Tax, Rs. 40 for route permit, Rs. 10 for fitness certificate and Rs. 85 or thereabouts for insurance. Thus the total amount of taxes payable for a bus with carrying capacity of 34 passenegers is Rs. 1,065 and that for a bus with carrying capacity of 38 passengers Rs. 1,165.

28. Then there are repair charges. As regards repair charges the evidence of the second party witness No. 1 Chandra Mohan Banik is that he has to pay Rs. 5 daily on an average for repair charges. His evidence has not been challenged by the other side and must, therefore, be accepted. So that in the case of Dacca-Narayanganj buses the annual expenditure under head 'repair charges' amounts to Rs. 1,800. In our view the expenditure under this head in the case of Town Service buses and Dacca-Airport Service buses also should be the same. But as regards the Dacca-Tongi-Kaliakair Service buses the charges, for the reasons aforesaid, must be higher. For the buses on this route we fix Rs. 8 instead of Rs. 5 as daily repair charges. That means the annual expenditure under the head 'repair charges' for a bus plying on this route is Rs. 2,880.

29. Lastly there is the depreciation allowance. The bus owners may reasonably claim a depreciation allowance and we think it should be allowed on the basis of 1/15th of the price of the vehicle which is roughly Rs. 30,000. It may be that some of the bus owners purchased old vehicles for a lesser price. But the cost of maintenance of old vehicles is so heavy that after some years it exceeds the cost of a

new vehicle. Therefore, we make no difference as regards the depreciation allowance.

30. After deducting the taxes, repair charges and depreciation allowance we find the net annual income off each bus owner as follows—

Town Service—Rs.4,035.

Dacca-Narayanganj Service—Rs.2,535.

Dacca-Air Port-Mohakhali Service—Rs. 1,335.

Dacca-Tongi-Kaliakair Service—Rs. 3,891.

This profit remains for them for their personal contribution in the shape of capital, labour and supervision, and in our opinion they rightly deserve it.

31. Therefore, from the point of view of paying capacity the bus owners cannot be expected to pay the drivers and conductors more than what the vast majority of them are already paying, namely, Rs. 6 to drivers and Rs. 4 to conductors. The existing rates of wages were introduced in or about 1958. Since then there has been no appreciable rise in the cost of living. Therefore, from this point of view also their claim for higher wages cannot be entertained. The East Pakistan Road Transport Corporation is paying the drivers and conductors at the following rates—

	Pay.	Dearness allowance.	House rent.
		Rs.	
Driver ..	Rs. 100—5—150	30 flat	20 per cent. of the basic pay.
Conductor	Rs. 60—5—120	30 flat	25 per cent. of the basic pay.

According to this scale the total emoluments of the drivers and conductors appointed by the Corporation in 1961 amount to Rs. 150 and Rs. 105 respectively. Most of the drivers and conductors concerned in the present cases are getting as much, if not more.

32. The real grievance of the drivers and conductors is that they have to work on "no work, no pay" principle and that as such they are not assured of a steady income. In our view the grievance is real and that the drivers and conductors should have a guaranteed minimum. In the Tripartite Agreement of the year 1958 to which we have already referred it was agreed that the drivers and conductors should have a guaranteed minimum of 23 days' work in a month and that at the rate of Rs. 4-12 and Rs. 3-4 respectively per day. We think it will be more reasonable if the drivers and conductors are given a guaranteed minimum of 24 days' work in a month in the case of Dacca-Tongi-Kaliakair Service and 26 days' work in a month in the case of other Services and that at the existing rates of wages subject, however, to the condition that in no case shall the wages be less than Rs.5 and Rs.3-8 respectively.

33. The drivers and conductors claim uniform rates of pay in all the services. A uniform rate of pay can be allowed only on the assumption that all the drivers and conductors are equally qualified and experienced. In our view no such assumption can be made. It is too obvious that they differ in qualification and experience, age and physical fitness. It is also common knowledge that with the increasing demand for drivers and conductors qualified and experienced persons are not readily available. Moreover, the work on all the routes is not equally heavy and hazardous, nor is the income equal. In the circumstances, and in view also of the fact that there is no uniform system or rule regulating appointments and providing for a graduated scale of pay the individual bus owners cannot be asked to pay a uniform rate but should have the option to fix the pay according to the qualification and previous experience, if any, of each employee subject to the guaranteed minimum aforementioned.

34. The drivers and conductors also claim that their wages should be paid monthly instead of daily as at present. Since we hold that they should have a guaranteed minimum it should not be difficult for the bus owners to pay the wages monthly. But we do not think we should make it binding upon the parties to pay or receive wages monthly, for there may be drivers and conductors who, for reasons of their own, may prefer daily payment to monthly payment. Therefore, the best course would be to leave the matter to the parties themselves. The bus owners shall make payment on daily or monthly basis according as their drivers and conductors like.

Demand No. 2:

35. *Hours of work*—The hours of work were formerly regulated by the Motor Vehicles Act, 1939. In 1961, Government promulgated an ordinance, Ordinance No. XXVIII of 1961 regulating hours of work and other conditions of employment of Road Transport Service in Pakistan. Both parties agree that the hours of work shall be regulated according to the provisions of this Ordinance which came into force on 4th July 1961.

Demand No. 3:

36. *Payment for overtime work*—Uuder the Ordinance the worker employed overtime shall be paid remuneration at twice the normal wages calculated by hours. The second party agrees to abide by this provision.

Demand No. 4:

37. *Commencement and termination of Working Hours*—According to the system now in vogue the work is supposed to commence at the time or hour when the driver and conductor first start on the journey out and to terminate when they reach the terminus after the last journey back. The time when the vehicle is taken charge of before the commencement of the work and the time when it is returned to the garage after the termination of the work is not included. In the Ordinance the term "hours of work" has been defined as meaning "the time during which the workers employed are at the disposal of the employer excluding intervals allowed for rest and meals." Having regard to this definition we are of the opinion that the work shall be treated as commencing at the time when the vehicle is taken charge of and terminating when it is returned to the garage, subject to the proviso, laid down in the Ordinance, that the intervals allowed for rest and meals in between the commencement of the work and termination thereof shall not be included.

Demand No. 5:

38. *Maintenance of Garage Book*—Section 8 of the Ordinance lays down that every employer shall, in the prescribed form and in the prescribed manner, keep in the office of the Road Transport Service a record of the hours of work and the amount of leave taken by, and of the intervals allowed for rest and meals to, every worker in accordance with the provisions of the Ordinance and particulars of all employment overtime shall be separately entered in the record. It lays down also that every employer shall, for the purpose of this Ordinance, maintain such other records and registers and display such notices or other documents as may be prescribed. It is not known what form, if any, has been prescribed for these registers. If there is a prescribed form the employers must enter the details in that form in the prescribed manner. But if no form has been prescribed the employer shall see that all the details are entered in the Way Bill.

Demand No. 6:

39. *Weekly Rest*—There is no dispute with respect to this demand it being admitted that every worker is entitled to have at least 24 hours of consecutive rest in a week.

Demand No. 7:

40. *Maintenance of Service Book*—No separate Service Book need be maintained if the Way Bill or the Registers prescribed under the Ordinance are properly maintained.

Demand No. 8:

41. *Provident Fund or Gratuity*—Having regard to the income of the employers and the fact that most of them are owners of single buses we are of the opinion that no system of Provident Fund or Gratuity in lieu thereof can be introduced.

Demand No. 9:

42. *Resting Places*—Resting places are undoubtedly necessary but they cannot be provided for by individual employers. This can be done only by the Motor Vehicles Association, and the Association has assured us that it is going to take necessary steps in that direction.

Demand No. 10:

43. *Medical Facilities*—There can be no doubt that the employees should be given medical relief in case of accident arising out of and in the course of employment and also for sudden illness, such as, heat-stroke in the course of the employment. At the present moment there is no hard and fast rule for providing such relief. We hold that the employers shall, as a rule, provide Medical Relief in the cases abovementioned.

Demand No. 11 :

44. *Uniform*—The drivers and conductors are required to wear uniform while on duty. The employers generally do not supply uniform. They complain that the drivers and conductors very often change masters and therefore, it is not possible for them to supply uniform to every new employee. At the hearing we suggested that the drivers and conductors shall purchase uniform at their own expense and the purchase money shall be paid by the employers in 12 equal monthly instalments, so that in case they leave service before the completion of one year they will be re-imbursed to the extent of their actual service, and the balance, if any, shall not be recoverable by them from the employers. Both parties agreed with this suggestion.

Demand No. 12 :

45. *Leave with pay*—The employees' demand is for—

One month's annual leave on full pay ;

15 days' casual leave ;

One month's medical leave on doctor's certificate and

15 days' festival leave.

46. In our view the claim is much too high and cannot be entertained. In view of the fact that the Motor Transport Service is a Public Utility Service granting of so much leave may well lead to dislocation of the services. The Ordinance lays down that in addition to the period of daily and weekly rest every worker, who has been in continuous employment for a period of one year, shall be entitled to not less than 14 days' leave with full pay or, if he has been continuously employed for a period of 6 months, he shall be entitled to not less than 7 days' leave with full pay. It is thus obligatory upon the bus owners to grant at least 14 days' leave on full pay. But we think that in addition to these statutory holidays the drivers and conductors should be allowed some festival holidays. We grant 2 days holiday for each Eed and one day each for Moharram, Fateha Doazdaham, Shabe-Barat, Shabe-Qadr, Akheri Chahar Shomba and Independence Day. It is not known whether there is any Hindu employee on the Motor Transport Service. It there be any Hindu Employee the 10 days' festival leave shall be granted to him according to his necessity.

No further leave can be granted to the employees.

In the result the award of the Court is as follows :

47. **Demand No. 1**—The existing rates of wages paid to drivers and conductors shall not be disturbed except in so far as it is necessary to ensure the guaranteed minimum fixed, namely, Rs.5 to drviers and Rs.3-8 to conductors per day.

The drivers and conductors employed on Dacca-Tongi-Kaliakair Service shall have a guaranteed minimum of 24 days' work and those employed on other services a guaranteed minimum of 26 days' work in a month.

If on any occasion the drivers and conductors are required to stay the night and remain in-charge of the vehicle at a terminus on the completion of the last journey to that place they shall be given half the daily wages for the night halt.

If drivers and conductors have to be laid off for an indefinitely long period their services may be terminated after giving them due notice or pay in lieu thereof as laid down in section 7 of the Ordinance.

Demand Nos. 2 and 3: *Hours of work and overtime*—The hours of work and rest and payment for overtime employment including employment on holidays shall be regulated and made strictly in accordance with the provisions of section 4 of Ordinance No. XXVIII of 1961.

Demand No. 4: *Commencement of working hours and conclusion*—The work of the drivers and conductors shall be deemed to have commenced at the time and hour when they take charge of the vehicle for the first journey according to serial and to have concluded at the time and hour when they return the vehicle to the garage or to the owner or his representative after the last journey.

Demand Nos. 5 and 7: *Garage Book and Service Book*—The registers prescribed under the Ordinance, and if no registers have been prescribed, the Way Bill shall be maintained regularly in the ordinary course of business. No separate garage book or service book need be maintained unless they are required to be maintained under the Ordinance.

Demand No. 6: *Weekly rest*—Weekly rest shall be given as prescribed by the Ordinance.

Demand No. 8: *Provident Fund or Gratuity*—The demand cannot be accepted in present conditions.

Demand No. 9: *Resting places*—No provision for resting place can be made by individual bus owners nor can any order be passed enjoining upon them to provide resting places.

Demand No. 10: *Medical Facilities*—Medical facilities shall be provided by the employers free of charge in case of accidents arising out of and in the course of the employment and also in case of

sudden illness, such as heat stroke in the course of the employment.

Demand No. 11: *Uniform*—Uniforms shall be supplied to drivers and conductors once a year but since the drivers and conductors generally do not stick to their job for long the following rules shall be followed:—

The uniform shall be purchased by the drivers and conductors;

If the owner is satisfied that the uniforms have been purchased and that they conform to the prescribed standard he shall pay the costs as per cash memo in 12 monthly instalments:

If the driver or conductor leaves service before completion of 12 months so much of the cost as remains unpaid shall not be recoverable from the bus owners.

Demand No. 12: *Leave*—The drivers and conductors shall be granted 14 days' leave on full pay in accordance with the provision of and subject to the conditions laid down in section 6 of the Ordinance. In addition they shall be given 10 days festival holiday on full pay as mentioned above.

M. A. JALIL, *Chairman,*
Industrial Court, Government of East Pakistan.

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PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME DEPARTMENT

General Administration and Appointment

Section VIII

NOTIFICATION

No. GAVIII-1050—30th October 1961—In pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor is pleased to make the following rules to regulate the appointment, promotion, transfer and discipline of the officers of the East Pakistan Civil Service (Executive) Class II.

CLASSIFICATION

1. The officers of the East Pakistan Civil Service (Executive) Class II shall be treated as Class II Officers.

RECRUITMENT

2. Appointments to the posts in the East Pakistan Civil Service (Executive) Class II shall be made by the Provincial Government.

3. **Method of recruitment**—50 per cent. of the vacant posts of the East Pakistan Civil Service (Executive) Class II shall be filled by direct recruitment on the basis of a competitive examination to be conducted by the East Pakistan Public Service Commission and the remaining vacant posts shall be filled, in consultation with the East Pakistan Public Service Commission, by

promotion from among the cadres included in the feeder services to the East Pakistan Civil Service (Executive) Class II enumerated in Schedule I appended to these rules:

Provided that the Provincial Government may, by notification, add any other cadre to the list of feeder services or remove therefrom any existing cadre:

Provided further that, until further orders to the contrary, all the vacant posts shall be filled in consultation with the East Pakistan Public Service Commission, by selection from among the officers of the following cadres, with particular reference to fitness for higher responsibilities:—

(i) Inspectors of Registration;
(ii) Departmental District Registrars;
(iii) District Sub-Registrars;
(iv) Sub-Registrars;
(v) Development Officers;
(vi) Subdivisional Managers of Government Acquired Estates;
(vii) Revenue Circle Officers;
(viii) Settlement Kanungoes;
(ix) Revenue Officers (on deputation to work as Circle Inspectors);
(x) District Kanungoes;
(xi) Revenue Circle Inspectors;
(xii) Subdivisional Relief and Rehabilitation Officers;
(xiii) Special Relief Officers;
(xiv) Co-operative Inspectors and Auditors;
(xv) Subdivisional Controllers of Food;
(xvi) Chief Inspectors of Food;
(xvii) Inspectors of Food;
(xviii) Subordinate Agriculture Service, Class I;
(xix) Graduate Project Supervisors of the National Development Organisation.

Note—'Development Officers' and 'Graduate Project Supervisors' of the National Development Organisation who were released from the Organisation on and after the 23rd June 1961 in pursuance of the decision to wind up the Organisation and would have continued to be employed in the Organisation but for the decision for winding up of the Organisation will also be eligible for selection.

4. (*1*) The following shall be the qualifications of eligibility for appointment to the posts of the East Pakistan Civil Service (Executive) Class II by direct recruitment:—

(i) *Age*—Candidates should have attained the age of 22 and should not have attained the age of 25 on the 1st day of October of the year previous to that in which the competitive examination for recruitment to the East Pakistan Civil Service (Executive) Class II is held Candidates shall submit proof of their age with their applications.

(ii) *Education*—Candidates must be graduates of recognised universities.

(2) Unless specially exempted by the Provincial Government, by any general or special order, no person holding a substantive appointment in Government service shall be eligible to appear at the competitive examination for recruitment to this service.

5. No person shall be appointed to any post in the East Pakistan Civil Service (Executive) Class II who is not a citizen of Pakistan and a permanent resident of, or domiciled in, East Pakistan.

6. No person shall be appointed to a post in East Pakistan Civil Service (Executive) Class II who is not of good character and in all respects suitable for appointment to Government service. Every candidate for direct appointment shall furnish certificates, written not more than one year prior to the date of application, from two responsible persons unconnected with the college or university wherein he was educated and not related to him, certifying to his private character. No person selected for direct apppointment shall be appointed, whose political antecedents have not been verified according to the procedure laid down by Home (Political) Department of the Provincial Government and found satisfactory.

7. No candidate, who has married or has entered into a promise of marriage with a person who is not a citizen of Pakistan shall, except with the previous approval of the Central Government, be appointed to any post of the East Pakistan Civil Service (Executive) Class II.

8. The posts of the East Pakistan Civil Service (Executive) Class II shall be reserved for the members of the male sex.

9. No person shall be eligible for appointment to the East Pakistan Civil Service (Executive) Class II who has endeavoured to enlist for his candidature the support of persons of influence or of officials of the Central or Provincial Government. Sponteneous recommendations from persons interested in, or otherwise known to, the candidate will be disregarded.

10. (1) No person shall be appointed to any post in East Pakistan Civil Service (Executive) Class II who is not of sound health, good physique and active habits and free from organic defect or bodily infirmity and in respect of whom the Provincial Government is not satisfied that he is physically fit and in all respects suitable for appointment to Government service.

(2) A candidate selected for direct appointment shall be required to attend before a Medical Board convened for his medical examination by the Director of Health Services, East Pakistan to prove his physical fitness for Government service and the candidate shall conform with the standards prescribed by the regulations in Schedule II appended to these rules. After examining the candidate the Medical Board shall furnish the Provincial Government a certificate in the form prescribed in schedule II.

(3) In case a candidate is recruited outside Pakistan, he shall attend before the Medical Board prescribed by the Head of the Pakistan Mission in that country to prove his physical fitness for Government service. They shall conform with the standards prescribed by the regulations in Schedule II, and after examining the candidate the Medical Board shall furnish to the Mission a

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Industrial Court,

Member.

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certificate in the form prescribed in schedule II. The certificate shall be forwarded by the Head of the Mission together with his recommendations to the Provincial Government.

(*4*) After examining the medical certificate furnished under sub-rule (*2*) or sub-rule (*3*), as the case may be, and, in the case of a candidate recruited outside Pakistan, also the recommendations of the Head of the Mission made under sub-rule (*3*), the Provincial Government—

(a) shall refuse to accept a candidate whom the Medical Board has considered unfit to enter the service of Government,

OR

(b) may accept a candidate whom the Medical Board has considered fit to enter the service of Government;

OR

(c) may use its discretion in rejecting as unfit any candidate who is considered disqualified for service of Government.

11. A person appointed to any post in the East Pakistan Civil Service (Executive) Class II shall be on probation for two years.

12. Officers appointed to East Pakistan Civil Service (Executive) Class II shall be graded in their annual confidential reports with regard to their suitability for promotion in the form prescribed by the Provincial Government.

TRANSFER

13. Members of the East Pakistan Civil Service (Executive) Class II shall be transferable within the entire province.

14. The Commissioner shall have the authority to transfer any officer of the East Pakistan Civil Service (Executive) Class II within the division.

DISCIPLINE

15. Officers of the East Pakistan Civil Service (Executive) Class II shall, in respect of discipline, be governed by the East Pakistan Government Servants (Efficiency and Discipline) Rules, 1960.

16. No officer of the East Pakistan Civil Service (Executive) Class II shall be dismissed or removed or compulsorily retired from service or reduced in rank by an authority subordinate to the Provincial Government.

17. The Commissioner may initiate disciplinary action against any officer of the East Pakistan Civil Service (Executive) Class II under him, and shall, in respect of any such officer, be the authority designated by the Governor under clause (*1*) of rule 2 of the East Pakistan Government Servants (Efficiency and Discipline) Rules, 1960 to exercise the powers of the authority under those rules, and may impose the following penalties:—

(a) censure ;

(b) stoppage at any efficiency bar for a period of 3 years ;

(c) withholding of increment up to 3 years.

SCHEDULE I

FEEDER SERVICES TO THE EAST PAKISTAN CIVIL SERVICE (EXECUTIVE) CLASS II

(*See* rule 3)

Name of service from which promotion shall be made.	Maximum age limit.	Remarks.
1	2	3
(1) Settlement Kanungoes ..	50 years.	A candidate must have a minimum continuous service of 7 years in the same cadre to become eligible for promotion.
(2) District Kanungoes	50 years.	
(3) Subdivisional Relief and Rehabilitation Officer	50 years.	
(4) Special Relief Officer.	50 years.	
(5) Inspectors and Auditors of Co-operative Societies	50 years.	
(6) Subordinate Agriculture Service, Class I	50 years.	
(7) Chief Inspectors of Food ..	50 years.	

SCHEDULE II

REGULATIONS AS TO THE PHYSICAL EXAMINATION OF CANDIDATES FOR DIRECT APPOINTMENT TO THE EAST PAKISTAN CIVIL SERVICE (EXECUTIVE) CLASS II

(*See* rule 10)

General physical requirements.

I. A candidate must be in good mental and bodily health and free from any physical defect likely to interefere with the efficient performance of his duty.

II. In the examination of candidates the Medical Board will apply the following table of correlation of age, height and chest girth:—

Age.	Height without shoes.	Chest measurement on full expiration.	Chest measurement on full inspiration.
	Inches. Inches.	Inches.	Inches.
21 and upwards ..	under 65	30	32
	65 and under 68	31	33
	68 ,, 70	32	34
	70 ,, 72	33	35½
	72 and upwards	34	36½

Provided that in the case of candidates over the age of 35 years expansion of the chest on inspiration should be adequate but not subject to any definite standard.

III. **Measurement of chest**—The candidate will be made to stand erect with his feet together and to raise his hands above his head. The tape will be carefully adjusted round the chest, with its posterior upper edge touching the

inferior angles of the shoulder blades and its anterior lower edge the upper part of the nipples. The arms will then be lowered to hand loosely by the side and care will be taken that the shoulders are not thrown upwards or backwards so as to displace the tape. The candidate will then be directed to empty his chest of air as much as is possible. This is best done by continuous whistling with the lips as long as sound can be produced. The tape will be carefully gathered in during the process and when the minimum measurement is reached it will be recorded. The candidate will then be directed to inflate his chest to its utmost capacity. The maximum measurement will likewise be noted. The girth with the chest fully expanded and the range of expansion between the minimum and maximum will than be recorded. In all doubtful cases the functional capacity of the lungs may be tested by means of the spirometer. The minimum vital capacity as tested by the spirometer shall in no case be below 180 cubic inches.

IV. The hearing must be good.

V. The speech must be without impediment.

VI. The teeth must be in good order, i. e., decayed or broken teeth must be properly stopped or crowned, and deficient teeth replaced by artificial teeth, where necessary, for effective mastication.

VII. The chest must be well formed, the lungs and heart sound.

VIII. Rupture, hydrocele, varicocele, varicose veins in a severe degree or other conditions likely to cause inefficiency will disqualify a candidate unless such condition is cured by operation. Where any candidate has been rejected and has subsequently undergone one or other operation for hernia, hydrocele, varicocele or varicose veins, the Board may pass him provided they are satisfied that the candidate has been radically cured.

IX. The limbs, feet and toes must be well formed and developed, with free and perfect motion of all the joints.

X. A candidate must have no congenital malformation or defect likely to interfere with his efficiency.

XI. A candidate must not be subject to chronic skin disease.

XII. Evidence of previous acute or chronic disease pointing to an impaired constitution will disqualify.

XIII. Blood pressure shall be taken in all cases.

XIV. In the matter of the correlation of age, hight and weight of candidates, it is left to the Medical Board to use whatever correlation figures are considered most suitable as a guide in the examination of the candidates.

Standard of minimum acuteness of vision required for appointment in the East Pakistan Civil Service (Executive) Class II.

Better eye.

$$\text{Vision} = \frac{6}{6}$$

Worse eye.

$$\text{Vision} = \frac{6}{12}$$

after correction with glasses, provided there are no morbid changes present in the choroid or ratinæ.

2. No candidate will be accepted whose Visual Acquity falls below the following standards:

	Better eye.	Worsen eye.
Distant vision without glasses	6/60	6/60
Corrected with glasses	6/6	6/12
Near vision with or without glasses ..	J1	J2

3. (*1*) Candidates with hypermetropia may be admitted provided the acuteness of vision is—

Better eye.

$$\text{Vision} = \frac{6}{6}$$

Worse eye.

$$\text{Vision} = \frac{6}{12}$$

after correction with glasses.

(2) No candidate shall be accepted for appointment if his vision does not come up to the requirements specified in this paragraph without the use of contact glasses.

Note—The expression "contact glass" used in this paragraph means a glass shall, the concabity of which is in contact with the globe of the eye a layer of liquid being interposed between the lens and the cornea, and the expression "glasses" used in this and other paragraphs is to be interpreted as not convering contact glasses.

4. In cases of defective vision due to nebula of the cornea, the candidate will be rejected.

5. Squints or any morbid conditions subject to risk of aggravation or recurrence in either eye may cause rejection of a candidate.

6. Colour vision need not be taken into account.

Form of Medical Certificate for Candidates for Direct Appointment to the East Pakistan Civil Service (Executive) Class II.

The attention of the Medical Board is specially directed to following:—

No person will be deemed qualified for admission to the service who shall not satisfy the Provincial Government that he has no disease, constitutional affection or bodily infirmity, unfitting him or likely to unfit him for the service. It should be understood that question of fitness involves the future as well as the present and that one of the main objects of medical examination is to secure continuous effective service and in the case of candidates for permanent appointment to prevent early pension. It is at the same time to be noted that the question is one of the likelihood of continuous effective service, and that the rejection of a candidate need not be advised on account of the presence of a defect which is only a small proportion of cases is found to interfere with continuous effective service. Before filling up the form it should be ascertained from the candidate whether he has been previously pronounced unfit for Government service by any duly constituted medical authority in Pakistan or elsewhere.

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Industrial Court,

Member.

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Signature of candidate in full.....

Height (without shoes).....

Girth of chest .....

Weight.....

We do hereby certify that we have examined.....
a candidate for employment in.....

His age is by his own statement.....
years and by appearance.....years.

*The candidate states that he has been previously examined and rejected by a Medical Board on the following occasion(s):—

Years.	Service for which medically examined.	Reason for rejection, if known.

*Strike out this paragraph if the candidate states that he has not been previously examined.

We have had before us the proceeding(s) of the Board(s) which examined him in the.....

(a) General conformation.....

		Right eye.	Left eye.
(b) Vision ..	(a) incorrected		
	(b) corrected		
	(c) nature and degree of defect		

(c) Teeth.....
(d) Hearing..... .....
(e) Lungs.....
(f) Heart.....
(g) Liver.....
(h) Spleen.....

(i) Hernia, present or absent.*
(j) Hydrocele, present or absent.*
(k) Glycosuria, present or absent.*
(l) Albuminuria, present or absent.*
(m) Distinguishing marks.....

*Strike out "present" or "absent" in (i), (j), (k) and (l) as the case may be.

We consider that he is of sound health and good physique and capable of bearing fatigue and exposure, and that he is fit to enter the service of Government.

We consider him unfit to enter the service of Government on account of*.....

} Strike out whichever of these does not apply.

Name.....
Designation..... } *President.*

Name.....
Designation.....
Name.....
Designation..... } *Members.*

Place.....

Date.....

*Here specify cause of rejection.

By order of the Governor,

K. A. HAQUE,
Chief Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

WEDNESDAY, NOVEMBER 1, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

Section IX

NOTIFICATION

No. S/IX/1T-20/60/1504—28th October 1961—In exercise of the power conferred by sub-rule (2) of rule 1 of the East Pakistan Municipal Committees (Assessment and Collection of Octroi) Rules, 1961, Governor is pleased to specify that the said rules shall come into force in all the Municipalities in the Province, as mentioned here below, with effect from the 1st November 1961.

1. Dacca Municipality.
2. Narayanganj Municipality.

3. Mymensingh Municipality.
4. Tangail Municipality.
5. Jamalpur Municipality.
6. Sherpur Municipality.
7. Kishoreganj Municipality.
8. Bhairab Municipality.
9. Faridpur Municipality.
10. Madaripur Municipality.
11. Barisal Municipality.
12. Chittagong Municipality,
13. Comilla Municipality.
14. Brahmanbaria Municipality.
15. Chandpur Municipality.
16. Noakhali Municipality.
17. Sylhet Municipality.
18. Rajshahi Municipality.
19. Nawabganj Municipality.
20. Rangpur Municipality.
21. Saidpur Municipality.
22. Dinajpur Municipality.
23. Bogra Municipality.
24. Pabna Municipality.
25. Serajganj Municipality.
26. Kushtia Municipality.
27. Jessore Municipality.
28. Khulna Municipality.

By order of the Governor,
S. D. KHAN,
Spl. Officer and Dy. Secy. to the Govt. of East Pakistan.

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SATURDAY, NOVEMBER 4, 1961

PART VA—Martial Law Regulations and Orders promulgated by the President and Chief Martial Law Administrator in Pakistan.

[*Republished from the Gazette of Pakistan, Extraordinary, dated the 18th October 1961.*]

GOVERNMENT OF PAKISTAN

Notification No. 989/61

MARTIAL LAW REGULATION

by

CHIEF MARTIAL LAW ADMINISTRATOR, PAKISTAN

No. 92

Martial Law Regulation No. 64, as amended by Martial Law Regulation Nos. 64-A and 78, is hereby further amended as follows, namely:—

In the said Regulation, after paragraph 28, the following new paragraph 28A shall be inserted, namely:—

"**28A. Power to exempt Waqf property.**—(*1*) The Commission may, by notification in the official Gazette, exempt any Waqf property as defined in the West Pakistan Waqf Properties Ordinance, 1959 (West Pakistan Ordinance No. XXI of 1959), from the operation of this Regulation.

(2) Upon the issue of a notification under sub-paragraph (1), the provisions of this Regulation shall be deemed never to have applied to the Waqf property specified in such notification."

MOHAMMAD AYUB KHAN, H.Pk., H.J.,
FIELD-MARSHAL,
Supreme Commander and
Chief Martial Law Administrator in PAKISTAN.

Place : RAWALPINDI.
Dated: 11th October 1961.

[*Republished from the Gazette of Pakistan, Extraordinary, dated 18th October 1961.*]

Notification No. 990/61

MARTIAL LAW REGULATION

by

CHIEF MARTIAL LAW ADMINISTRATOR, PAKISTAN

No. 93

Martial Law Regulation No. 88 shall be amended as follows:—

For paragraph 2 the following shall be substituted and shall be deemed always to have been so substituted, namely:—

" . For avoidance of doubt it is hereby declared that—

(a) the expression "order made or anything done or to be done or intended, expressed or purported to be done, or to have been done" in paragraph 1 shall include any order made or anything done whether the order or the thing is within the scope of the Regulation or Order or not, or whether the authority making the order or doing a thing had jurisdiction in the matter or not; and

(b) "Martial Law Authority" includes a person or body of persons authorized by or under any Martial Law Regulation or Order to perform any function or exercise any power under such Regulation or Order, and if a question arises whether any person or body is a martial law authority or not the certificate of the Chief Martial Law Administrator or the Zonal Martial Law Administrator that such person or body is Martial Law Authority shall be final.

3. This Regulation shall be deemed to have come in to force as from the 8th of October, 1958."

MOHAMMAD AYUB KHAN, H. PK., H.J.,
FIELD-MARSHAL,
Supreme Commander and
Chief Martial Law Administrator in PAKISTAN.

Place : RAWALPINDI.
Dated : 13th October 1961.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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The Dacca Gazette

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MONDAY, NOVEMBER 6, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-30/61/968 L/II.—3rd November 1961—Whereas Mafzal Ahmed, Engine Driver, Messrs Tatri Glass Works Ltd., Panchalaish, post-office Amin Jute Mills, Chittagong, has made a complaint under section 31 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959) to the Industrial Court, East Pakistan, at Dacca against Messrs Tatri Glass Works Ltd., Panchalaish, post-office Amin Jute Mills, Chittagong;

And, whereas, the said Court has given its award as appended hereto;

Now, therefore, in pursuance of sub-section (*2*) of section 12 read with section 31 of the said Ordinance, the Governor is pleased to direct that the award be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,

M. A. SIDDIQUI, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT

Miscellaneous Case No. 20/61

(*Under section 28 of the Industrial Disputes Ordinance, 1959.*)

Mafzal Ahmed, Engine Driver, Messrs Tatri Glass Works Ltd., Panchalaish, post-office Amin Jute Mills, Chittagong, C/o. Mr M. A. Sabur, 3, Nowab Serajuddowlla Road, Chittagong—*1st party*.

versus

Management, Messrs Tatri Glass Works, Ltd., Panchalaish, post-office Amin Jute Mills, Chittagong—*2nd party*.

Present—

M. A. Jalil, Esq.—*Chairman, Industrial Court, Government of East Pakistan.*

Mr K. M. M. Abdul Qader—*Member*.

DECISION

This is an application for penal action under section 28 of the Industrial Disputes Ordinance, 1959, and it has been filed by one Mafzal Ahmed, an employee of the second party—Messrs Tatri Glass Works, Chittagong.

The applicant's case is that he has been working as an Engine Driver in the second party's factory at Chittagong for the last 8/9 years. The scale of pay fixed for this post is Rs.100—150 and he has been drawing Rs.145 at present. In 1960 the Tatri Glass Works Sramic Union of which he is a member presented a charter of demands to the second party. The second party having expressed its inability to accede to all the demands the matter was referred to the Conciliation Officer, Chittagong Region and the Conciliation proceeding is still pending. In the mean time the second party has reduced the pay scale of Engine Drivers to Rs.100—4—140 and designated them as Mechanical Fitters. Under section 30 of the Ordinance the second party could not alter the conditions of service during the pendency of the conciliation proceeding. Therefore, the second party has committed an offence punishable under section 28 of the Ordinance.

The second party has entered appearance contending, *inter alia*, that formerly the factory work used to be carried on with diesel engines and accordingly the workers who used to operate these engines were designated Engine Drivers. Now, however, the Management has secured electric connection and all the machines are being operated by electricity. Consequent upon this change all the diesel engines except one which has been retained for emergency have been disposed of and the Engine Drivers have been designated Mechanical Fitters. Further, in view of their work becoming less arduous and hazardous a new scale (Rs. 100—4—140) has been introduced with their consent and they have been absorbed in that scale. The pay of the workers who were

getting more than Rs. 140 at the time of the introduction of the scale was not disturbed, however, and consequently the applicant is still getting Rs.145.

The second party contends also that in any case the present application is not maintainable, since the scale of pay is not in issue in the conciliation proceeding now pending and as such there could be no question of any alteration of the terms and conditions of service to the prejudice of the workmen concerned in such dispute.

So the only point for determination is whether or no there has been any contravention of the provisions of section 30 of the Industrial Disputes Ordinance by the second party.

The first party did not appear at the hearing and so the case was heard *ex parte*.

It appears from the record that the Tatri Glass Works Sramic Union presented the charter of demands to the Deputy Labour Commissioner, Chittagong Region on 30th November, 1960 whereupon a conciliation proceeding was started. The charter of demands covers such matters as lump sum grants for loss or damage caused by the 1960 cyclone, payment of wages to workers who could not attend to their duty on account of the cyclone, suply of ration, reinstatement of certain sand-washers, annual increments, recalling of the warning letter issued to a worker named Abdus Sobhan and introduction of contract system. None of the demands relates to the scale of pay or the change of designation of the Engine Drivers to Mechanical Fitters.

The change of designation of the Engine Drivers and the introduction of a new scale of pay for them after their absorption as Mechanical Fitters were necessitated by the change in the system of work. Formerly the machines used to be operated by diesel engines and as such the workmen who operated the engines used to be called Engine Drivers. With the introduction of electricity, however, the diesel engines became redundant and the Engine Drivers superfluous. But the Management instead of terminating the services of the Engine Drivers absorbed them as Mechanical Fitters. And since the work of the Mechanical Fitters is less heavy and hazardous than that of the Engine Drivers they have revised the pay scale reducing the maximum by Rs. 10 only. In our view, the second party was perfectly within its rights to change the designation of the Engine Drivers and revise their scale of pay.

But although the second party has revised the pay scale the pay of the workers who would get more than Rs. 140 at the time of the introduction of the new scale has not been disturbed. The second party filed a petition at the time of hearing stating that the applicant is getting the same pay as he would get as Engine Driver.

Such being the facts we are of the opinion that there has been no alteration of the conditions of service to the prejudice of the applicant so as to attract the provisions of section 28 of the Ordinance.

In the result then the application is dismissed.

M. A. JALIL,
Chairman,
Industrial Court.

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MONDAY, NOVEMBER 6, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME DEPARTMENT

Political

NOTIFICATION

No. 1075 Poll. (III)—6th November 1961—In exercise of the power conferred by sub-section (*2*) of section 9 of the Manœuvres, Field Firing and Artillery Practice Act, 1938 (Act V of 1938), the Governor is pleased to authorise the carrying out of the field firing and artillery pratice throughout the area in the district of Khulna defined in notification No. 4420 Poll., dated the 29th May 1959 and described in the schedule below during the period from the 1st February 1962 to the 31st March 1962.

Schedule.

Mauza Rangpur, jurisdiction list No. 52, police-station Dumuria, district Khulna, in connection with 'Field Firing', sheet Nos. 1, 3, 4, 5 and 6.

Cadastral survey plot Nos. in full—36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 143, 599, 600, 601, 602, 743, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 769, 770, 771, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 906, 907, 908, 909, 910, 911, 913, 914, 915, 916, 917, 931, 932, 933, 934, 935, 936, 937, 940, 941, 943, 944, 945, 946, 947, 951, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1621, 1623, 1624, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1651, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1671, 1682, 1683, 1684, 1708, 1963, 1964, 1977, 1978, 1979, 1982, 2220, 2221, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2241, 2242 and 2243.

Cadastral survey plot Nos. in part—34, 35, 116, 117, 590, 592, 593, 598, 603, 604, 740, 741, 742, 744, 745, 760, 761, 763, 764, 766, 767, 768, 772, 875, 876, 877, 903, 904, 905, 912, 918, 919, 920, 929, 930, 942, 1591, 1593, 1598, 1625, 1526, 1630, 1642, 1643, 1652, 1667, 1668, 1669, 1670, 1672, 1673, 1680, 1681, 1685, 1707, 1709, 1710, 1974, 1980, 2031, 2032, 2033, 2034, 2217, 2218, 2219, 2222, 2230, 2231, 2239, 2240, 2244, 2245 and 2246.

Mauza Dhapakhola, jurisdiction list No. 12, sheet Nos. 3, 4, 5 and 6, police-station Phultala, Khulna.

Cadastral survey plot Nos. in full—2808, 2809, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2855, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2940, 2941, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 3000, 3005, 3007, 3008, 3009, 3029, 4571, 4589, 4590, 4591, 4592, 4595, 4596, 4597, 4605, 4606, 4607, 4608, 4609, 4610, 4611, 4612, 4613, 4614, 4615, 4616, 4617, 4618, 4620, 4926, 4927, 4928, 4929, 4930, 4931, 4932, 4933, 4934, 5083, 5084, 5085, 5089, 5090, 5091, 5092, 5093, 5094, 5098, 5103, 5104, 5105, 5106, 5107, 5108, 5113, 5124, 5126, 5128, 3051,

3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3064, 3065, 3066, 30667, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 315, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3159, 3160, 3161, 3162, 3163, 3164, 3165, 3166, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3198, 3199, 3200, 3201, 3204, 3205, 3206, 3207, 3208, 3209 and 3210.

Cadastral survey plot Nos. in part—2807, 2810, 2812, 2854, 2856, 2870, 2879, 2419, 2763, 2880, 2881, 2931, 2936, 2937, 2938, 2939, 2942, 2976, 2996, 3002, 4006, 4570, 4572, 4573, 4586, 4587, 4588, 4593, 4594, 4598, 4599, 4604, 4619, 4621, 4622, 4624, 4625, 4626, 4923, 4924, 4925, 4935, 4936, 5082, 5086, 5088, 5095, 5097, 5099, 5102, 5109, 5112, 5114, 5115, 5116, 5122, 5123, 5125, 5127, 3063, 3157, 3158, 3167, 3168, 3172, 3173, 3174, 3175, 3176, 3187, 3197, 3243, 3244 and 3245.

Mauza Garakhola, jurisdiction list No. 13, police-station Phultala, district Khulna, sheet Nos. 4 and 5.

Cadastral survey plot Nos. in full—4809, 4810, 4811, 4812, 4813, 4814, 4815, 4816, 4817, 4818, 4819, 4823, 4824, 4858, 4860, 4861, 4862, 4863, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5057, 5058, 5059, 5060, 5061, 5062, 5063, 5064, 5065, 5066, 5078, 5079, 5080, 5081, 5082, 5083, 5084, 5085, 5086, 5087, 5088, 5089, 5090, 5091, 5092, 5093, 5094, 5095, 5096, 5098, 5099, 5100, 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109, 5110, 5111, 5112, 5113, 5114, 5115, 5116, 5117, 5118, 5119, 5120, 5121, 5122, 5123, 5124, 5125, 5126, 5127, 5128, 5129, 5130, 5131, 5132, 5133, 5134, 5135, 5136, 5137, 5138, 5139, 5140, 5141, 5142, 5143, 5144, 5145, 5146, 5147, 5148, 5149, 5150, 5151, 5152, 5153, 5154, 5155, 5156, 5157, 5158, 5159, 5160, 5161, 5162, 5163, 5164, 5168, 5169, 5170, 5171, 5172, 5173, 5174, 5175, 5176, 5177, 5178, 5179, 5180, 5181, 5182, 5183, 5184, 5185, 5186, 5187, 5188, 5189, 5190, 5191, 5192, 5193, 5194, 5195, 5196, 5197, 5198, 5199, 5200, 5201, 5202, 5203, 5204, 5205, 5206, 5207, 5208, 5209, 5211, 5212, 5215, 5225, 5226, 5229, 5230, 5231, 5285, 5286, 5287, 5288, 5289, 5290, 5291, 5292, 5293, 5294, 5295, 5296, 5297, 5298, 5299, 5300, 5301, 5302, 5303, 5304, 5305, 5306, 5307, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5316, 5317, 5318, 5319, 5320, 5321, 5322, 5323, 5324, 5325, 5326, 5327, 5328, 5329, 5330, 5331, 5332, 5333, 5334, 5335, 5336, 5337, 5338, 5339, 5340, 5341, 5342, 5343, 5344, 5345 5346, 5347, 5348, 5349, 5350, 5351, 5352, 5353, 5354, 5355, 5356, 5357, 5358, 5359, 5360, 5361, 5362, 5363, 5364, 5365, 5366, 5367, 5368, 5369, 5370, 5371, 5372, 5373, 5374, 5375, 5376, 5377, 5378, 5379, 5382, 5383, 5384, 5385, 5386, 5387, 5388, 5389, 5390, 5391, 5392, 5395, 5399, 5400, 5401, 5403, 5404, 5405, 5406, 5407, 5408, 5409, 5410, 5411, 5413, 5414, 5415, 5416, 5417, 5418, 5419, 5420, 5421, 5422, 5423, 5424, 5425, 5426, 5427, 5428, 5429, 5430 and 5431.

Cadastral survey plot Nos. in part—4804, 4805, 4806, 4807, 4808, 4820, 4821, 4822, 4825, 4856, 4857, 4859, 4864, 4865, 4869, 4872, 4976, 4977, 5028, 5029, 5067, 5068, 5072, 5073, 5054, 5076, 5077, 5097, 5381, 5393, 5397, 5398, 5402, 5412, and 5380.

Mauza Damodar, jurisdiction list No. 18, sheet Nos. 5 and 6, police-station Phultala, district Khulna.

Cadastral survey plot Nos. in full—6050, 6051, 6052, 6053, 6055, 6056, 6057, 6058, 6079, 6080, 6084, 6085, 6088, 6089, 6090, 6091, 6092, 6093, 6095, 6096, 6097, 6098, 6099, 6100, 6101, 6102, 6103, 6104, 6105, 6106, 6107, 6108, 6109, 6110, 6114, 6118, 6119, 6120, 6121, 6122, 6123, 6124, 6125, 6126, 6127, 6128, 6129, 6130, 6131, 6132, 6133, 6134, 6135, 6142, 6143, 6144, 6145, 6146, 6147, 6150, 6178, 6179, 6180, 6181, 6185, 6184, 6208, 6210, 6211, 6212, 6213, 6214, 6215, 6216, 6217, 6322, 6323, 6324, 6325, 6326, 6333, 6334, 6335, 6336, 6337, 6338, 6339, 6340, 6341, 6342, 6343, 6344, 6345, 6346, 6347, 6348, 6349, 6350, 6351, 6352, 6354, 6355, 6356, 6360, 6361, 6362, 6363, 6364, 6365, 6366, 6367, 6368, 6369, 6370, 6371, 6372, 6373, 6374, 6375, 6376, 6377, 6378, 6379, 6380, 6381, 6382, 6383, 6384, 6385, 6386, 6387, 6388, 6389, 6390, 6391, 6392, 6394, 6395, 6396, 6397, 6398, 6399, 6400, 6401, 6402, 6403, 6404, 6405, 6406, 6407, 6408, 6409, 6410, 6411, 6412, 6413, 6414, 6415, 6416, 6417, 6418, 6419, 6420, 6421, 6422, 6423, 6424, 6425, 6426, 6427, 6428, 6429, 6430, 6431, 6432, 6433, 6434, 6435, 6436, 6437, 6438, 6439, 6441, 6442, 6443, 6444, 6447, 6452, 6466, 6467, 6468, 6469, 6470, 6471, 6472, 6473, 6474, 6475, 6476, 6477, 6478, 6479, 6480, 6481, 6482, 6483, 6486, 6490, 6491, 6492 and 6493.

Cadastral survey plot Nos. in part—5776, 6049, 6054, 6059, 6060, 6077, 6078, 6081, 6083, 6136, 6137, 6141, 6148, 6149, 6201, 6203, 6205, 6206, 6207, 6209, 6218, 6219, 6223, 6224, 6225, 6309, 6310, 6311, 6319, 6321, 6327, 6328, 6331, 6332, 6445, 6446, 6448, 6451, 6453, 6454, 6456 and 6459.

Mauza Beel Dakatia, jurisdiction list No. 22, police-station Phultala. district Khulna, sheet Nos. 1 and 2.

Cadastral survey plot Nos. in full—21, 22, 23 24, 25, 26, 27, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 940, 941, 942, 943, 944, 945, 750, 751 and 754.

Cadastral survey plot Nos. in part—3, 17, 18, 19, 20, 28, 30, 32, 33, 35, 55, 59, 60, 62, 83, 86, 110, 746, 749, 752, 753, 755 and 915.

Schedule.

Area bounded by excluding Dhopakhola village GR 3631 to GR 380303 to excluding Beel Dakatia village GR 411265 to GR413249 to GR 398253 . to GR 367290.

By order of the Governor,

S. Z. KHAN,

Dy. Secy. to the Govt. of East Pakistan.

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Extraordinary

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MONDAY, NOVEMBER 6, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

NOTIFICATION

No. S-XI/D-16/61/1000—3rd November 1961—In exercise of the powers conferred on the Provincial Government under clause (*3*) of Article 70 of the Basic Democracies Order, 1959 (President's Order No. 188 of 1959), the Governor is pleased to appoint Mr Amnisuddin Ahamed, C. S. P., Deputy Secretary, Basic Democracies and Local Government Department to act as Secretary of the East Pakistan Development Advisory Council, in addition to his own duties, with effect from the date he takes over charge of the Secretary of the Council, *vice* Mr S. N. H. Rizvi, Special Officer of the Department (now on training).

By order of the Governor,

A. M. S. AHMED,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca

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3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3064, 3065, 3066, 30667, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 315, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3159, 3160, 3161, 3162, 3163, 3164, 3165, 3166, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3198, 3199, 3200, 3201, 3204, 3205, 3206, 3207, 3208, 3209 and 3210.

Cadastral survey plot Nos. in part—2807, 2810, 2812, 2854, 2856, 2870, 2879, 2419, 2763, 2880, 2881, 2931, 2936, 2937, 2938, 2939, 2942, 2976, 2996, 3002, 3006, 4570, 4572, 4573, 4586, 4587, 4588, 4593, 4594, 4598, 4599, 4604, 4619, 4621, 4622, 4624, 4625, 4626, 4923, 4924, 4925, 4935, 4936, 5082, 5086, 5088, 5095, 5097, 5099, 5102, 5109, 5112, 5114, 5115, 5116, 5122, 5123, 5125, 5127, 3063, 3157, 3158, 3167, 3168, 3172, 3173, 3174, 3175, 3176, 3187, 3197, 3243, 3244 and 3245.

Mauza Garakhola, jurisdiction list No. 13, police-station Phultala, district Khulna, sheet Nos. 4 and 5.

Cadastral survey plot Nos. in full—4809, 4810, 4811, 4812, 4813, 4814, 4815, 4816, 4817, 4818, 4819, 4823, 4824, 4858, 4860, 4861, 4862, 4863, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5057, 5058, 5059, 5060, 5061, 5062, 5063, 5064, 5065, 5066, 5078, 5079, 5080, 5081, 5082, 5083, 5084, 5085 5087, 5088, 5089, 5090, 5091, 5092, 5093 96, 5098, 5099, 5100, 5101, 5102, 51 5107, 5108, 5109, 5110, 5111, 116, 5117, 5118, 5119, 5120. 25, 5126, 5127, 5128, 5129

94, 303, 5312, 0, 5321, 326 3329, 5330, 335, 5 337, 5338, 5339, 5344, 5345 5346, 5347, 5348, 5353, 5354, 5355, 5356, 5357, 5362, 5363, 5364, 5365, 5366, 5371, 5372, 5373, 5374, 5375, 379, 5382, 5383, 5384, 5385, 5386, 5390, 5391, 5392, 5395, 5399, 5400, 04, 5405, 5406, 5407, 5408, 5409, 5410, 5414, 5415, 5416, 5417, 5418, 5419, 5420, 5421, 5422, 5423, 5424, 5425, 5426, 5427, 5428, 5429, 5430 and 5431.

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Schedule.

Area bounded by excluding Dhopakhola village GR 3631 to GR 380303 to excluding Beel Dakatia village GR 411265 to GR413249 to GR 398253 . to GR 367290.

By order of the Governor,

S. Z. KHAN,

Dy. Secy. to the Govt. of East Pakistan.

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Extraordinary

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TUESDAY, NOVEMBER 7, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

NOTIFICATION

No. 10A-32/61/969 L/II—4th November 1961—Whereas Noor Mohammed and Mofizul Haque applied to the Industrial Court, East Pakistan, at Dacca for adjudication of the Industrial Dispute between Noor Mohammed and Mofizul Haque and Messrs Kamaluddin Chowdhury & Co.;

And, whereas, the said Court has given its decision as appended hereto;

Now, therefore, in pursuance of sub-section (*3*) of section 12 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), the Governor is pleased to direct that the said decision be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,

M. A. AHMAD,

Section Officer to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT

Industrial Dispute Case Nos. 26/61 and 27/61.

Noor Mohammad and Mofizul Haque—*1st party.*

versus

Messrs Kamaluddin Chwdhury & Co.—*2nd party.*

Before—

M. A. Jalil, Esqr. .. *Chairman, Industrial Court, Government of East Pakistan.*

Mr K. M. Nasirul Haque, Mr K. M. M. Abdul Qader } *Members.*

DECISION

These two cases have been heard together involving as they do common questions of law and fact.

2. The material facts are that in 1960 the Barisal Motor Launch Employees' Union, acting on behalf of 63 dismissed workmen in the employ of Messrs Kamaluddin Chowdhury & Co. Ltd., representing the Inland Navigation Co. Ltd., Barisal Branch, filed a dispute under section 5(*5*) of the Industrial Dispute Ordinance and it was registered as Industrial Dispute Case No. 67/60.

3. On the case coming up for hearing on 8th May 1960 before my predecessor in office Mr A. S. M. Akram, the second party—Messrs Kamaluddin Chowdhury & Co. raised a preliminary objection to the effect that the Barisal Motor Launch Employees' Union have no authority to represent the employees concerned as the Registration Certificate of the Union had been cancelled on 20th December 1960. This contention was upheld by my predecessor who, accordingly, dismissed the case "for default of appearance and non-prosecution of the first party."

The decision was published in the *Dacca Gazette, Extraordinary*, dated the 23rd May 1961.

4. After the passing of the order, on the same date, a dismissed employee, named Noor Mohammad, who was employed as Welder and a retrenched employee, named Mofizul Haque, who was employed as Turner, filed applications before the Court praying for permission to conduct the case—Case No. 67/60 in their individual capacity and the prayer was granted. But as the case was already dismissed the applications were directed to be registered as analogous cases and accordingly they were registered as cases Nos. 26/61 and 27/61 respectively.

5. The second party have entered appearance in both the cases. They contend, *inter alia*, that the applicants have no *locus standi* to make the application which are, therefore, liable to be dismissed.

6. It appears that the 63 employees on whose behalf Industrial Dispute Case No. 67/60 was filed were dismissed in June-July 1960; the dispute concerning their dismissal arose on 10th August 1960; the Conciliation proceedings were started on 29th August 1960 and the proceedings came to a close and the certificate of failure was issued on 12th September 1960; and the dispute under section 5 (*5*) was filed in Court on 19th September 1960.

7. The first party—Noor Mohammad of Case No. 26/61 was dismissed, however, on 30th October 1960 and the first party Mofizul Haque of case No. 27/61 retrenched on 25th February 1961. In other words, they were dismissed or retrenched long after the filing of case No. 67/60 in this Court. Thus the 63 employees on whose behalf that case was filed were different persons and neither Noor Mohammad nor Mofizul Haque could be said to have been made party to that case or represented in it by the Barisal Motor Launch Employees' Union.

Therefore, it is clear that the applicants Noor Mohammad and Mofizul Haque have had no *locus standi* to conduct case No. 67/60 in their personal capacity.

8. The question that next arises is whether in view of the fact that they have been separately registered as analogous cases, the applications can be treated as filed under section 5 (*5*) of the Industrial Dispute Ordinance. An application under section 5 (*5*) of the Ordinance can be filed only by a party to whom a certificate of failure has been issued by a Conciliation Officer under section 5(*4*) of the Ordinance. In the present case no such certificate was issued to these applicants The certificate that was issued by the Conciliation Officer on 12th September 1960 was issued in favour of a different person and that long before the applicants' dismissal or retrenchment. Therefore, the applications filed by Noor Mohammad and Mofizul Haque cannot be treated as independent cases under section 5 (*5*) of the Ordinance.

9. In any view of the matter, therefore, the applications must fail and accordingly we dismiss the same.

M. A. JALIL,
Chairman,
Industrial Court.

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

WEDNESDAY, NOVEMBER 8, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

WORKS DEPARTMENT

Development Bodies Section

NOTIFICATION

No. 649 I.T./1E-6/61—8th November 1961—In exercise of the powers conferred by sub-section (*1*) of section 3 of the Khulna Development Authority Ordinance, 1961 (East Pakistan Ordinance No. II of 1961), the Governor is pleased to establish an Authority to be known as the Khulna Development Authority for carrying out the purposes of the said Ordinance.

By order of the Governor,

D. AHMED,

Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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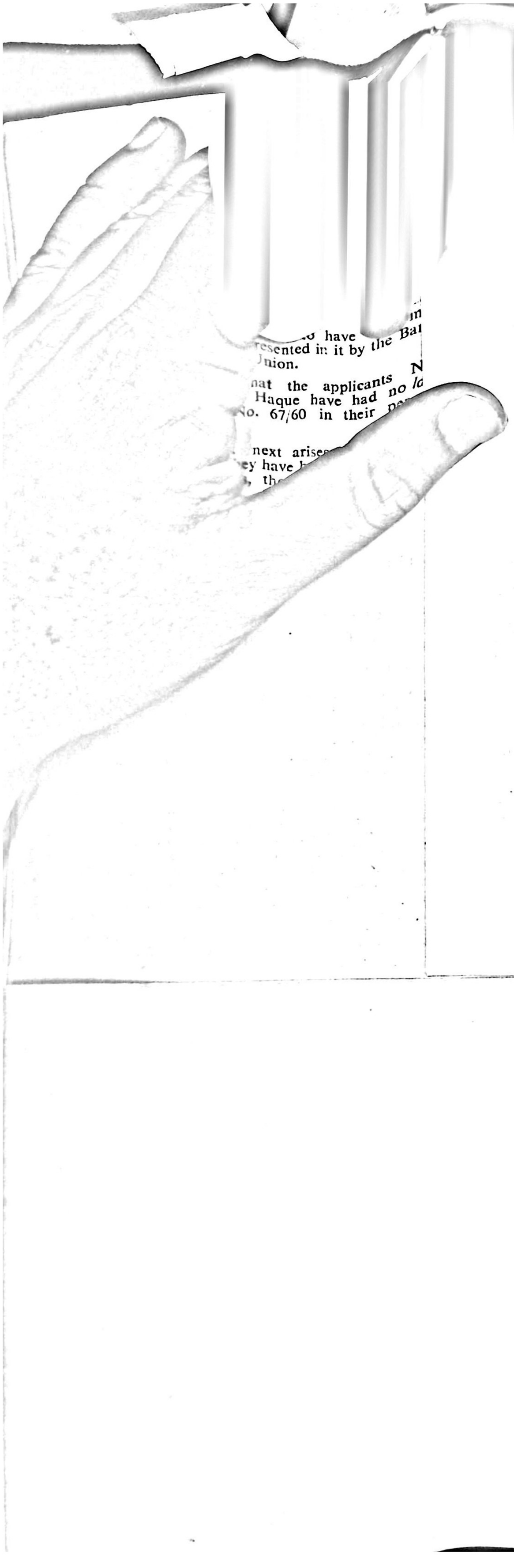

Registered No. DA-1.

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GOVERNMENT OF EAST PAKISTAN

WORKS DEPARTMENT

Development Bodies Section

NOTIFICATION

No. 650 I.T.—8th November 1961—In exercise of the powers conferred by sub-section (*1*) of section 4 of the Khulna Development Authority Ordinance, 1961 (East Pakistan Ordinance No. II of 1961), the Governor is pleased to appoint the following as Chairman and Members respectively of the Khulna Development Authority established under sub-section (*1*) of section 3 of the said Ordinance:

(1) Commissioner, Khulna Division (ex-officio)—*Chairman.*

...been filed by the Amin Mach Workers' Union on ... to this case as no conciliation proceeding or Court

Members.

(1) Civil Surgeon, Khulna (ex-officio)—Representative of the Directorate of Health Services, East Pakistan.

(2) Commander H. H. Zaidi—Port Director, Chalna Port, Khulna.

(3) Mr M. A. Hamid—Managing Director, Messrs H. N. Poddar & Co. and Secretary, Khulna Chamber of Commerce and Industries.

(4) Mr S. M. A. Majeed, B.L—Secretary, Pleader, Bar Association, Khulna and Member, Provincial Advisory Committee.

(5) Mr Abul Hossain—Vice-Chairman, Khulna Municipality.

(6) Dr M. A. Quadir—Member, Divisional Council, Khulna.

(7) Mr Rasik Lal Biswas—Moktear, Bhairab Strand Road, Khulna.

By order of the Governor,
D. AHMED,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATIONS

No. S 80/61/836 Salt—6th November 1961—In exercise of the powers conferred by sub-clause (*g*) of clause 2 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, the Governor is pleased to declare with immediate effect salt as foodstuffs for the purposes of the said Order.

No. S-80/61/837 Salt—6th November 1961—In exercise of the powers conferred by sub-clause (*l*) of clause 5 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order 1953, the Governor is

been filed by the Amin Mach Workers' Union on

7. The first party—Noor Mohammad of C
No. 26/61 was dismissed, however, on 30th Octo
1960 and the first party Mofizul Haque of
No. 27/61 retrenched on 25th February 1961.
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the 63 employees on whose behalf that case was f
were different persons
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pleased to make the following amendment in noti
fication No. 5636 FD, dated 25th June 1956
namely:—

Amendment

In the said notification, for the fullstop at th
end, *substitute* a comma and *add* the followin
namely:—

"Provided that in the case of salt no trade
shall keep more than 5 (five) maunds a
a time without licence."

No. S-80/61/638 Salt—6th November 1961—In exercise of the powers conferred by sub-clause (*1*) of clause 7 of the East Bengal Foodstuffs Price Control and Anti-Hoarding Order, 1953, the Governor is pleased to direct that no trader in salt shall keep in his possession or control at a time any quantity of salt in excess of 5 (five) maunds.

If any trader is holding stocks in excess of the permissible quantity, as indicated above, then he shall report the fact as required under sub-clause (*3*) of clause 7 of the above Order on or before the 15th November 1961 to the local Subdivisional Controller of Food without stopping normal sales to *bona fide* dealers at fair prices.

By order of the Governor,
A. M. F. RAHMAN,
Addl. Secy. to the Govt. of East Pakistan.

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The Dacca Gazette

Extraordinary

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WEDNESDAY, NOVEMBER 8, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-35/61/970L/II—6th November 1961—Whereas Amin Match Workers' Union, 71, Arambagh Dacca—2, has made a complaint under section 31 off the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), to the Industrial Court, East Pakistan, at Dacca against Messrs Amin Match Works, 200, K. M. Azam Road, Dacca—1;

And, whereas, the said Court has given its award ass appended hereto;

Now, therfore, in pursuance of sub-section (*2*) of section 12, read with section 31 of the said Ordinance, the Governor is pleased to direct that the award be published in an extraordinary issue of the *Dacca Gazette.*

By order of the Governor,
M. A. SIDDIQUI, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT

Industrial Dispute Case No. 59/61

Amin Match Workers' Union,
71, Arambagh, Dacca—2—*1st party.*

Messrs Amin Match Works,
20, K. M. Azam Lane, Dacca—1—*2nd party.*

Before—

MM. A. Jalil, Esqr. ... *Chairman, Industrial Court, East Pakistan.*

Mr K. M. Nasirul Haque
Mr K. M. M. Abdul Qader } .. *Members.*

DECISION

This case arises out of an application under section 31 of the Industrial Disputes Ordinance, 1959 and it has been filed by the Amin Mach Workers' Union on behalf of a worker named Abdul Matin, who was employed as a Machine Man in the Amin Match Works and who was suspended from service for 4 days with effect from 23rd June 1960 on the ground that on 22nd June 1960 the pinion of the peeling machine of which he was in-charge was broken due to his grosss negligence, and that when the Head Mistry called for his explanation he behaved rudely with him and also abused him.

The Union's case is that the pinion of the peeling machine was not broken due to Abdul Matin's negligent handling. It was old and rickety and it was not replaced inspite of the Manager having been duly informed of its condition. Therefore, Abdul Matin could not be held responsible or punished for the breakage caused by wear and tear. He did not misbehave with the Head Mistry ; on the contrary the Head Mistry abused him. However, after the expiry of the suspension period he reported for duty but the management put him off from day to day in order to avoid him. As a result he is still out of employment.

The Union contends that the order of suspension, besides being unjustified, is illegal, in asmuch as it was passed during the pendency of the conciliation proceedings in respect of the industrial dispute brought by the Amin Match Workers' Union against the Amin Match Works, and that, therefore, the worker must be reinstated with back pay.

The second party has entered appearance resisting the application on the ground that the worker Abdul Matin was suspended after the management was satisfied upon proper enquiry that he was guilty of negligence and insubordination. The management asked him to apologise to the Head Mistry and undertake to handle the machine carefully before he resumed his duty on the expiry of the suspension period but he did not only comply with the order but left the factory on receipt of the wages due to him.

The second party contends also that in any case neither section 30 nor section 31 of the Industrial Disputes Ordinance has any application to this case as no conciliation proceeding or Court

proceeding was pending at the time when the worker was suspended and that, therefore, the application does not lie.

In our view it is unnecessary to enter into the merits of the case, for it appears clear that the application is not maintainable. The conciliation proceedings in respect of the Industrial Dispute brought by the Amin Match workers' Union on behalf of the employees were initiated on 1st August 1960; the certificate of failure under section 5(*4*) of the Ordinance was issued on 28th August 1960, and the dispute under section 5(5)—Industrial Dispute Case No. 51/60 was filed on 2nd September 1960. The worker Abdul Matin, however, was suspended on and from 23rd June 1960 and the present application was filed on 5th October 1961. Thus, it would be seen that neither any conciliation proceeding nor any Court proceeding in respect of any Industrial Dispute between the Amin Match Workers' Uuion and the Amin Match Works was pending at the time when Abdul Matin was suspended. That being the case, the second party cannot be said to have contravened the provisions of section 30 of the Industrial Disputes Ordinance, 1959 so as to attract the operation of section 31 of the Ordinance.

Thus, the application is not maintainable and it is dismissed.

M. A. JALIL,
Chairman, Industrial Court,
East Pakistan.

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PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-34/61/971 L/II—6th November 1961—Whereas Amin Match Workers' Union, 71, Arambagh, Dacca—2, has made a complaint under section 31 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), to the Industrial Court, East Pakistan, at Dacca against Messrs Amin Match Works, 20, K. M. Azam Road, Dacca—1;

And, whereas, the said Court has given its award as appended hereto;

Now, therefore, in pursuance of sub-section (*2*) of section 12, read with section 31 of the said Ordinance, the Governor is pleased to direct that the award be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,

M. A. SIDDIQUI, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT

Industrial Dispute Case No. 35/61

Amin Match Workers' Union, 71, Arambagh, Dacca—2—*1st party*.

Messrs Amin Match Works, 20, K. M. Azam Road, Dacca—1—*2nd party*.

Before—

M. A. Jalil, Esq....*Chairman, Industrial Court, East Pakistan.*

Mr K. M. Nasirul Haque
Mr K. M. M. Abdul Qader } *Members.*

DECISION

This case arises out of a complaint under section 31 of the Industrial Disputes Ordinance, 1959.

The complaint has been filed by the Amin Match Workers' Union on behalf of an employee, named Birendra Chandra Sarkar of the second party, the Amin Match Works, Dacca. It is alleged that Birendra used to work in the Checking Department of the Factory on a monthly pay of Rs.46. On 18th June 1961, he was transferred to the Sawing Department and he worked there for some time when the Manager, all on a sudden, called him and asked him to quit the factory. He was obliged to come away and was never allowed thereafter to resume his work. Thus he was thrown out of employment without any notice or any fault on his part.

It is next alleged that at the time when Birendra was dismissed an Industrial Dispute (Industrial Dispute case No. 51/60) between the Amin Match Workers' Union and the Amin Match Works was pending in this Court concering the pay and service conditions of the employees. Therefore, by summarily dismissing the workman during the pendency of that case the second party has contravened the provisions of section 30 of the Ordinance.

The second party contends that the workman was never dismissed or discharged from service. He intentionally absented himself from duty after his transfer to the Sawing Department. The management in expectation of his return to duty maintained his name in the register of employees until 1st September 1961, when his name was struck off on account of his continued absence. So the present complaint is false and unfounded.

The point for determination is whether the second party has contravened the provisions of section 30 of the Industrial Disputes Ordinance during the pendency of Industrial Dispute Case No. 51/60.

Section 30 of the Industrial Disputes Ordinance, as it now stands after the recent amendment, provides as follows:—

"**Conditions of service, etc., to remain unchanged during pendency of proceedings**—(1) No employer shall, during the pendency of conciliation proceedings, or proceedings before a Court in respect of an industrial dispute or during the period between the conclusion of the conciliation proceedings and commencement of the proceedings before the Court, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of conciliation proceedings, nor shall he—

(a) save with the permission of the conciliation officer, during the pendency of conciliation

proceedings and the period thereafter preceding the commencement of the proceedings before the Court, and

(b) save with the permission of the Court, during the pedency of the proceedings before the Court, discharge, dismiss or otherwise punish any such workmen except for misconduct not connected with such dispute."

Thus it will be seen that section 30 comes into operation on the fulfilment of either of two conditions: (a) altering service conditions to the prejudice of the workmen concerned in an industrial dispute pending before a conciliation officer or a court; (b) dismissing, discharging or otherwise punishing a workman except for misconduct not connected with such dispute without the permission of the conciliation officer or the court, as the case may be.

It is admitted that the Amin Match Workers' Union, acting on behalf of the employees of the Amin Match Works, filed a dispute in this court on 2nd September 1960 under section 5(5) of the Industrial Disputes Ordinance concerning pay and service conditions and the dispute has been registered as Industrial Dispute Case No. 51/60. It is also admitted that the Amin Match Works has not, during the pendency of the proceedings before the Court, altered, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them. Therefore, the first condition is not attracted to this case.

As for the second condition, it appears that the second party passed no written order suspending, discharging or dismissing the workman, nor did it serve any written notice calling upon him to show cause why he should not be dismissed or discharged or otherwise punished. The workman alleges that when he was working in the Sawing Department on his transfer to that department the Manager suddenly sent for him and verbally dismissed him from service. He assigns no reason, however, for this unusual and abrupt action. In the complaint he alleges that he was dismissed on account of his becoming a member of the Workers' Union. This is disproved by his own statement before us that the Head Mistry was trying to get him removed from office as he is not a member of the Union. Obviously the workman has suppressed material facts. His evidence and conduct leave no room for doubt that he did not like the transfer to the Sawing Department where the work is heavy and arduous and he held the Head Mistry responsible for the transfer. However that may be, upon the materials on record we do not see how the management can be blamed. The management has all through maintained that it has not discharged or dismissed the workman and this is supported by the attendance register Ext. H which shows that his name was not struck off until September 1961. The workman has adduced no independent evidence in support of his case that after 18th June 1961 he reported for duty as usual but was refused access to the premises. He absented himself for reasons of his own. It was up to the management to terminate his services for continued absence from duty for more than 10 days without leave or permission but it refrained from doing so. On the other hand, it is even now prepared to take him back. Thus it cannot be said that the workman was dismissed, discharged or otherwise punished during the pendency of the Court proceedings. It is open to him to rejoin the service.

In the result then, the complaint fails and is dismissed.

M. A. JALIL,
Chairman,
Industrial Court, East Pakistan.

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

No. 10A-31/61/977-L/II—6th November 1961—Whereas Mofizul Haque represented by Barisal Motor Launch Employees' Union applied Industrial Court, East Pakistan, at Dacca for adjudication of the Industrial Dispute between Mofizul Haque represented by Barisal Launch Employees' Union and Messrs Kamaluddin Choudhury and Co., Barisal ;

And, whereas, the said Court has given its decision as appended hereto ;

Now, therefore, in pursuance of sub-section (*3*) of section 12 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), the Governor is pleased to direct that the said decision be published in an extraordinary issue of the *Dacca Gazette.*

By order of the Governor,

M. A. AHMAD,
Section Officer to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT, EAST PAKISTAN

Industrial Dispute Case No. 8/61.

Mofizul Haque, represented by Barisal Motor Launch Employees' Union. .. *1st party.*

versus

Messrs Kamaluddin Chowdhury and Co., Barisal. .. *2nd party*

Before—

Mr M. A. Jalil, Esq. .. *Chairman, Industrial Court, Government of East Pakistan.*

Mr K. M. Nasirul Haque
Mr K. M. M. Abdul Qader } *Members.*

DECISION

This case arises out of a complaint under section 31 of the Industrial Disputes Ordinance, 1959. The meterial facts are these:

2. In 1960, the Barisal Motor Launch Employees' Union filed a dispute under section 5(*5*) of the Industrial Disputes Ordinance, 1959 against Messrs Kamaluddin Chowdhury and Co. representing the Inland Navigation Co. Ltd., Barisal Branch, and it was registered as Industrial Dispute case No. 67/60. The dispute centred round the alleged dismissal from service of 63 employees working on Motor Launches or in the Workshop of the second party. When the case came up for hearing on 8th May 1961, before my predecessor in office Mr A. S. M. Akram, the second party raised the objection that the Barisal Motor Launch Employees' Union had no authority to represent the employees concerned. Upon hearing the objection my predecessor passed the following order:

> "The Registration Certificate E.P. 731 of the Barisal Motor Launch Employees' Union—first party having been cancelled on 20th December 1960, Mr Jabal Hossain, the Secretary of the Union can no longer represent the workmen-members of the Union. The case is accordingly dismissed for default of appearance and non-prosecution of the first party."

This decision was duly published in the *Dacca Gazette, Extraordinary*, dated 23rd May 1961.

3. Now, during the pendency of that case the Barisal Motor Launch Employees' Union acting on behalf of an employee, named, Mofizul Haque, filed a complaint against the second party under section 31 of the Ordinance and it was registered as Industrial Dispute case No. 8/61. In view of the decision in the main case this case was liable to be dismissed too, but it was not dismissed as Mofizul Haque appeared personally and prayed for permission to conduct the case in his individual capacity and the prayer was granted.

4. The second party have entered appearance contending, *inter alia,* that since the applicant Mofizul Haque was not a party to Industrial Dispute case No. 67/60 the application under section 31 of the Ordinance is not at all maintainable.

5. After hearing the parties we came to the conclusion that the preliminary objection must succeed and accordingly we did not deem it necessary to enter into the merits.

6. Section 31 of the Industrial Disputes Ordinance provides: "Where an employer contravenes the provisions of section 30 during the pendency of proceedings before a Court, any employee aggrieved by such contravention may make a complaint in writing in the prescribed manner to such Court, and on receipt of such complaint, that Court shall adjudicate upon the complaint as if it were an industrial dispute in respect of which application has been made under sub-section (5) of section 5".

And section 30 of the Ordinance provides: "No employer shall, during the pendency of any conciliation proceedings or proceedings before a Court in respect of any industrial dispute, alter to the prejudice of the workmen concerned in such dispute the conditions of service applicable to them immediately before the commencement of such proceedings; nor, save with the express permission in writing of the conciliation officer or Court, as the case may be, shall he, during the pendency of such proceedings, discharge, dismiss or otherwise punish any such workman."

7. It will be seen that section 31 of the Ordinance comes into operation only "where an employer contravenes the provisions of section 30 during the pendency of proceedings before a Court." So that in order that the provisions of section 30 may be attracted what has to be proved in this case in first, that the complainant was a party to Industrial Dispute case No. 67/60 and secondly, that during the pendency of that case before the Court the second party altered the conditions of service to the prejudice of the complainant.

8. It is admitted that the complainant was not a party to the Industrial Dispute case No. 67/60 and that the 63 employees on whose behalf that case was filed were different persons altogether although they hold employment under the same employer. Therefore, what was involved in that case was the service conditions of 63 employees other than the complainant and the complainant was not a "workman concerned in such dispute."

9. Thus it is menifestly clear that the complainant Mofizul Haque has had no *locus standi* to make the complaint.

Accordingly the complaint is dismissed.

M. A. JALIL,

Chairman, Industrial Court,
East Pakistan.

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Extraordinary

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THURSDAY, NOVEMBER 9, 1961

PART IIIA—Ordinances promulgated by the Governor of East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XXXIX of 1961

THE EAST PAKISTAN ROAD TRANSPORT CORPORATION (AMENDMENT) ORDINANCE, 1961

AN

ORDINANCE

to amend the East Pakistan Road Transport Corporation Ordinance, 1961.

Whereas it is expedient to amend the East Pakistan Road Transport Corporation Ordinance, 1961, for the purpose and in the manner hereinafter appearing; E. P. Ord. VII of 1961.

Now, therefore, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor is pleased to make and promulgate the following Ordinance, namely:—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the East Pakistan Road Transport Corporation (Amendment) Ordinance, 1961.

(*2*) It shall come into force at once.

Insertion of new section 19A in E. P. Ord. No. VII of 1961.

2. *After* section 19 of the East Pakistan Road Transport Corporation Ordinance, 1961, the following new section shall be *inserted*, namely:—

"Exemption from certain provisions of the Motor Vehicles Act, 1939, on establishment of a fund.

19A. The Provincial Government may, by notification in the *Official Gazette*, exempt the motor vehicles owned by the Corporation from the operation of the provisions of sub-section (*1*) of section 94 of the Motor Vehicles Act, 1939: IV of 1939.

Provided that no such notification shall be issued unless a fund is established and is maintained by the Corporation in accordance with the rules made in that behalf under this Ordinance for meeting any liability arising out of the use of any vehicle of the Corporation which the Corporation or any person in the employment of the Corporation may incur to a third party".

Dacca;
The 7th November 1961.

M. AZAM KHAN,
Governor of East Pakistan.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East Pakistan.

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PART IIIA—Ordinances promulgated by the Governor of East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XL of 1961

THE EAST BENGAL (EMERGENCY) REQUISITION OF PROPERTY (AMENDMENT) ORDINANCE, 1961

AN

ORDINANCE

further to amend the East Bengal (Emergency) Requisition of Property Act, 1948.

Whereas it is expedient further to amend the East Bengal (Emergency) Requisition of Property Act, 1948, for the purpose and in the manner hereinafter provided; B.B. Act XIII of 1948.

Now, therefore, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and having received the previous instructions of the President, the Governor is pleased, in exercise of all powers enabling him in that behalf, to make and promulgate the following Ordinance, namely:—

Short title and commencement.

1. (*1*) This Ordinance may be called the East Bengal (Emergency) Requisition of Property (Amendment) Ordinance, 196..

(*2*) It shall come into force at once.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

2072(a)

Amendment of E.B. Act XIII of 1948.

2. The East Bengal (Emergency) Requisition of Property Act, 1948 (hereinafter referred to as the said Act) shall be amended in the manner hereinafter provided.

Amendment of section 2 of E.B. Act XIII of 1948.

3. *For* clause (*i*) of section 2 of the said Act, the following shall be *substituted*, namely:—

"(i) "Deputy Commissioner" includes an Additional Deputy Commissioner and a Joint Deputy Commissioner and also an Assistant Commissioner or an Extra-Assistant Commissioner authorised by the Deputy Commissioner to exercise any power conferred, or perform any duty imposed, on the Deputy Commissioner by or under this Act;".

Amendment of section 3 of E. B. Act XIII of 1948.

4. In section 3 of the said Act, *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted*.

Amendment of section 4 of E. B. Act XIII of 1948.

5. In section 4 of the said Act, *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted*.

Amendment of section 4A of E. B. Act XIII of 1948.

6. *For* sub-section (*2*) of section 4A of the said Act, the following shall be *substituted*, namely:—

"(2) The Provincial Government may, at any time, either on its own motion or on application by an aggrieved party, revise any order passed by the Deputy Commissioner under section 3, where no appeal has been filed under sub-section (1), and, also, any order passed by the Commissioner on appeal under sub-section (1).".

Amendment of section 5 of E. B. Act XIII of 1948.

7. In section 5 of the said Act,—

(*i*) *for* sub-section (*1*), the following shall be *substituted*, namely:—

"(1) The Provincial Government may, if it thinks fit, acquire any requisitioned property on the proposal of the Deputy Commissioner in the manner hereinafter provided in this section.

(1a) The Deputy Commissioner shall, if he considers that the acquisition of any requisitioned property is expedient for a public purpose or in public interest, cause a public notice to be given at convenient places on or near the requisitioned property stating that the property is proposed to be acquired.";

(*ii*) in sub-section (*2*), *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted*;

(*iii*) in sub-section (*5*), *for* the words "District Magistrate" and "Commissioner", the words "Deputy Commissioner" and "Provincial Government" respectively, shall be *substituted*; and

(*iv*) *for* sub-section (*6*), the following shall be *substituted*, namely:—

"(6) the Provincial Government, after considering the report made under sub-section (*5*), shall make a decision about the acquisition of the requisitioned property and such decision of the Provincial Government shall be final.".

Amendment of section 5A of E. B. Act XIII of 1948.

8. In section 5A of the said Act, *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted*.

Amendment of section 6 of E. B. Act XIII of 1948.

9. In section 6 of the said Act, *for* the words "District Magistrate", the words "Deputy Commissoner" shall be *substituted*.

Amendment of section 7 of E. B. Act XIII of 1948.

10. In section 7 of the said Act,—

(*i*) *for* clause (*aa*), the following shall be *substituted*, namely:—

"(aa) where no such agreement can be reached, the Deputy Commissioner shall, having regard to the provisions of clause (e), assess compensation for the immovable property, and shall, after obtaining the approval of the Provincial Government thereto, give immediate notice of the assessment to the person or persons interested.";

(*ii*) in clause (*aaa*), *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted*;

(*iii*) in clause (*d*), *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted* ; and

(*iv*) *for* clause (*e*), the following shall be *substituted*, and shall be deemed to have been so substituted on the first of July, 1961, namely:—

"(e) the arbitrator in making his award shall have regard to the provisions of sections 23 and 24 and sub-section (2) of section 35 of the Land Acquisition Act, 1894, so far as the same can be made applicable : I of 1894.

Provided that—

(*i*) the market value of any immovable property for the purposes of this section shall be the average value of the properties of similar

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...MED ALI, C. S. P.,
Subdivisional Officer, Gaibandha.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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description and with similar advantages in the vicinity, during the five years preceding the date of the service of notice under sub-section (*1a*) of section 5 ;

(*ii*) where the public purpose, for which the immovable property is acquired under section 5, is the establishment of an industry by a person other than the Provincial or Central Government, the arbitrator shall, in addition to such market value of the immovable property, award a sum of twenty-five *per centum* on the market value, instead of fifteen *per centum* as provided in sub-section (*2*) of section 23 of the Land Acquisition Act, 1894, in consideration of the compulsory nature of the acquisition ; and I of 1894.

(*iii*) in awarding compensation for the requisition of any immovable property to which the provisions of the East Pakistan Premises Rent Control Ordinance, 1961, or any other law for the time being in force, for the control of house-rent, apply, the arbitrator shall have regard to those provisions, so that the compensations awarded may not exceed the amount of rent allowable in respect of such property under those provisions.". E. P. Ord. XXV of 1961.

Amendment of section 7A of E. B. Act XIII of 1948.

11. In section 7A of the said Act, *for* the words "District Magistrate" and "District Magistrate's", wherever occurring, the words "Deputy Commissioner" and "Deputy Commissioner's" shall, respectively, be *substituted.*

Amendment of section 7B of E. B. Act XIII of 1948.

12. In section 7B of the said Act, *for* the words "District Magistrate", wherever occurring, the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 7C of E. B. Act XIII of 1948.

13. In section 7C of the said Act, *for* the words "District Magistrate", wherever occurring, the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 7D of E. B. Act XIII of 1948.

14. *For* section 7D of the said Act, the following shall be *substituted*, namely:—

"7D. (1) When a property is proposed to be transferred, on acquisition under section 5, to any person other than the Central Government, such person shall enter into an agreement with the Provincial Government in such form as may be prescribed by the Provincial Government before the possession of such property is delivered to the person.

(2) When the property, in respect of which an agreement has been entered into with a person under sub-section (1), is acquired under section 5, the Provincial Government shall, on the performance by such person of his part of the agreement, transfer the property to the person by executing a deed of transfer in such form as may be prescribed by the Provincial Government, and in accordance with the law for the time being in force.".

Amendment of section 7F of E.B. Act XIII of 1948.

15. In section 7F of the said Act, *for* the words "District Magistrate", twice occurring the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 8 of E.B. Act XIII of 1948.

16. In section 8 of the said Act, *for* the words "District Magistrate", wherever occurring, the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 8A of E.B. Act XIII of 1948.

17. In section 8A of the said Act,—

(*i*) *for* the words, figures and comma "the East Bengal Premises Rent Control Ordinance, 1951", wherever occurring, the words, figures and comma "the East Pakistan Premises Rent Control Ordinance, 1961" shall be *substituted*; and

(*ii*) *for* the marginal reference "E.B. Ord. No. XXII of 1951", wherever occurring, the marginal reference "E.P. Ord. No. XXV of 1961" shall be *substituted.*

Amendment of section 9 of E.B. Act XIII of 1948.

18. In section 9 of the said Act, *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 12 of E.B. Act XIII 1948.

19. In section 12 of the said Act, *for* the words "District Magistrate", the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 12A of E. B. Act XIII of 1948.

20. In section 12A of the said Act, *for* the words "District Magistrate", wherever occurring, the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 12C of E. B. Act XIII of 1948.

21. In section 12C of the said Act, *for* the words "District Magistrate", wherever occurring, the words "Deputy Commissioner" shall be *substituted.*

Amendment of section 14 of E. B. Act XIII of 1948.

22. In section 14 of the said Act, in sub-section (*3*), *for* the words "District Magistrate's", the words "Deputy Commissioner's" shall be *substituted*, and the words "including the High Court and the Supreme Court" shall be *omitted.*

MOHAMMED ALI, C. S. P.,
Subdivisional Officer, Gaibandha.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Amendment of section 18 of E. B. Act XIII of 1948.

23. In section 18 of the said Act, in clause (*d*) of sub-section (*2*) thereof, *for* the figure "1", the figure and letter "1a" shall be *substituted*.

Dacca;
The 7th November 1961.

M. AZAM KHAN,
Governor of East Pakistan.

By order of the Governor,

M. H. ALI,
Secy. to the Govt. of East Pakistan.

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The Dacca Gazette

Extraordinary

Published by Authority

THURSDAY, NOVEMBER 9, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE SUBDIVISIONAL OFFICER, GAIBANDHA, RANGPUR

NOTIFICATION

No. 11 B. D.—8th November 1961—In exercise of the powers delegated to me by the Commissioner, Rajshahi Division, read with rule 4 of the East Pakistan Union Council (Taxation) Rules, 1960, I, Mohammed Ali, C. S. P., Subdivisional Officer, Gaibandha, Rangpur, do hereby accord sanction to the levy of the following taxes, rate and fees by the Union Councils of Gaibandha subdivision for the year 1961-62. This will be effective from 1st July 1961.

This is in continuation to notification No. 7 BD., dated the 22nd August 1961, published in the *Dacca Gazette, Extraordinary*, dated the 28th August 1961.

Sl. No.	Name of taxes, rates and fees sanctioned.	Rate.	Exemption.	Remarks.
1.	Fees for slaughter of animals—			
(i)	For every goat or sheep	.. 25 paisa	Religious and social function.	
(ii)	For every cow, bullock or heifer ..	.. Re.1·00		
(iii)	For every buffalo	.. Rs.2·00.		
2.	Fees for market	.. At the rate of five per cent. of the bid money of the Ijarders or gross income of the owners or proprietors of the market.		

MOHAMMED ALI, C. S. P.,
Subdivisional Officer, Gaibandha.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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FRIDAY, NOVEMBER 10, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-37/61/996 L/II—9th November 1961—Whereas Amin Match Workers' Union, 71, Arambagh, Dacca-2 applied to the Industrial Court, East Pakistan, at Dacca for adjudication of the Industrial Dispute between Amin Match Workers' Union, 71, Arambagh, Dacca-2 and Messrs Amin Match Works, 20, K. M. Azam Lane, Dacca—1 ;

And, whereas, the said court has given its award as appended hereto ;

Now, therefore, in pursuance of sub-section (*2*) of section 12 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), the Governor is pleased to direct that the said award be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,

M. A. SIDDIQUE, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT, EAST PAKISTAN

Industrial Dispute Case No. 51/60

Amin Match Workers' Union .. *1st party.*
71, Arambagh, Dacca—2.

Messrs Amin Match Works, .. *2nd party.*
20, K. M. Azam Lane, Begum Bazar, Dacca—1.

Before—

M. A. Jalil, Esq. .. .. *Chairman, Industrial Court, East Pakistan.*

Mr K. M. Nasirul Haque, Mr K. M. M. Abdul Qader } *Members.*

AWARD

This case arises out of a dispute under section 56(*5*) of the Industrial Disputes Ordinance, 1959.

2. The 1st party—Amin Match Workers' Union presented a charter of demands to the 2nd party—Messrs Amin Match Works, Dacca on 8th September 1959. An attempt at a negotiated settlement followed and in the course of the negotiations the 2nd party made certain concessions which, however, did not satisfy the Union. On 1st August 1960, the matter was referred to a Conciliation Officer. The Conciliation Officer failed to bring about a settlement and on 28th August 1960, issued a Certificate of failure under section 5(*4*) of the Ordinance. Upon this, on 2nd September 1960, the present dispute was filed.

3. The charter of demands comprised the following matters—

(i) Recognition of the Union.

(ii) Scales of pay with dearness allowance.

(iii) Bonus of two months' pay in a year.

(iv) Medical allowance and free medical treatment.

(v) Leave facilities.

(vi) Confirmation after six month' service.

(vii) Provident Fund or in lieu thereof gratuity.

(viii) Free quarters.

(ix) Paid holidays for Shab-e-Barat, 1958, Independence day, 1959, and Shab-e-Barat, 1960.

(x) Leave cards.

(xi) Non-members of the Union should not be retained in the service of the Company.

(xii) Other points of agreement, dated 1st April 1957 will remain in force as before.

4. At the commencement of the hearing of the case on 17th October 1961, the Union submitted a petition withdrawing demands Nos. 1, 6 and 11. Therefore the demands now falling for determination are demands Nos. 2-5, 7-10 and 12.

Demand No. 2—*Scales of pay with dearness allowance*—On 9th April 1957, there was a tripartite agreement as regards the pay scale and service

conditions of the workers and in terms of this agreement the pay scale inclusive of dearness allowance was fixed as follows :

Apprentice	..	Rs.35.
Unskilled	..	Rs.40—3—49.
Semi-skilled B	..	Rs.49—4—65.
Semi-skilled A	..	Rs.65—5—85.
Skilled ...	..	Rs.85—6—109—EB—7—130.
Highly skilled	..	Rs.130—10—170—EB—15—200.

And this scale of pay was given effect to from 1st April 1957.

In 1959, when the Union pressed for a further increase, the management agreed to raise and actually raised the pay scale of the first three groups of workers as follows:

Apprentice	..	Rs.40.
Unskilled ..	..	Rs.48—3—57.
Semi-skilled B	..	Rs.57—4—65.

The scale of the three groups higher up was not raised.

The Union now demands the pay scales of the various groups of workers to be fixed as follows:

Apprentice	..	Rs.50.
Unskilled	..	Rs.60—5—80.
Semi-skilled B	..	Rs.80—6—110.
Semi-skilled A	..	Same as in the case of semi-skilled B.
Skilled	..	Rs.110—8—150.
Highly skilled	..	Rs.150—10—200.

It is admitted that of the 7 match factories at Dacca the Prasanna Match Factory is the only factory which may be compared with the 2nd party, the Amin Match Works. The comparative table of production Ext. I shows the production of these two factories in 1959 and 1960 as follows:

	1959.	1960.
Amin Match Works	1,62,057 gross	1,72,101 gross.
Prasanna Match Factory.	97,787 gross	1,16,717 gross.

The second party's production in those two years was indeed higher than that of the Prasanna Match Factory, but the second party has produced a certified copy of the rates of wages paid by the Prasanna Match Factory and this document Ext. C purports to show that the Prasanna Match Factory is giving wages to its workers at the following rates:

Unskilled, Mostly unskilled, Partly skilled.	..	betweed Rs. 52 and Rs. 65.
Skilled	..	between Rs. 52 and Rs. 100.
Highly skilled	..	between Rs. 80 and Rs. 290.

There are on apprentices on its establishment.

On a comparison of the rates of wages paid by the two factories we find that the Prasanna Match Factory gives a minimum pay of Rs. 52 to unskilled workers as against Rs. 48 given by the second party to the same category of workers. We find also that the former gives a higher scale of pay to three of the workers in the highly skilled group. But at the same time it must be pointed out that the Prasanna Match Factory gives no graded scale of pay to any of the various categories of workers but gives a lump sum to each and that too not on any uniform principle. The second party, on the other hand, has introduced a graded scale of pay and a system of annual increment for each category and as a result the vast majority of the workers on its establishment are getting more than what their counterparts in the Prasanna Match Factory are getting.

The second party's scale suffers from one defect, however, and this is that the initial pay given to the unskilled workers is Rs. 48 only though according to the recommendations of the Minimum Wages Board the initial pay of such workers cannot be less than Rs. 52. This must be remedied.

The Union demands a general increase of pay on the usual ground of rise in the cost of living. Admittedly the pay scale has been revised twice during recent times on this very ground, once in 1957 and again in 1959. After 1959 there has been no appreciable rise in the cost of living so as to justify yet another revision. We, therefore, direct that the present scale of pay of the daily-rated workers in the employ of the second party shall continue subject to the condition that no unskilled worker shall get less than Rs.52 per month of 26 working days.

There remains the case of the piece-rated workers. The Prasanna Match Factory pays the workers at the following rates:

Box filling	15 N. P. =0-2-6 per gross.
Inner and outer box pasting ..	10 N. P. = a little more than 0-1-6 per gross.
Label pasting and Banderol pasting. ..	5 N. P. = a little less than 0-1-0 per gross.

The second party, however, pays at the rate of annas 2=12 N. P. per gross for box filling and less than annas 2 for other piece-rate jobs. The Union demands that the box fillers should be paid at the rate of annas 3 and the outer workers at the rate of annas 2 per gross. And since there is a complaint that the piece-rated workers have sometimes to remain idle for want of materials it demands that they should have a guaranteed minimum of Rs.2 per day.

It appears to us that the piece-rated workers are not sufficiently paid by the second party. The second party should be able to pay the box fillers and the outer workers at least at the rate paid by the Prasanna Match Factory. Accordingly we direct that the box fillers shall be paid at the rate of annas 2-6=15 N. P. and the outer workers at the rate of annas 2=12 N. P. per gross.

The piece-rated workers can by no means be paid less than what an unskilled worker gets per day of 8 working hours. That is the recommendation of the Minimum Wages Board. Yet they sometimes get less because of the want or paucity of materials. Therefore, we direct further that the box fillers and the outer workers shall be paid at the above rate subject to the condition that they shall have a guaranteed minimum of Rs. 2 per day of 8 working hours, that is to say, Rs.25 per month of 26 working days=208 hours.

The rate of pay or remuneration as well as the guaranteed minimum fixed by us for unskilled workers and piece-rated workers shall be given effect to from 1st January 1961. In adjusting the pay of unskilled workers the increments already earned by them shall be taken into account.

Demand No. 3—*Bonus*—At present the workers are getting bonus equivalent to one month's basic pay. The Union demands two months' basic pay and in support of this claim relies upon the balance-sheet, profit and loss account, etc., for the year 1960 filed by the second party. These documents Ext. Fpurport to show that the second party has made a net profit of Rs. 80,000 odd in 1960, which is a fairly good profit for a concern of moderate size such as the Amin Match Works is. But at the same time it must be remembered that this is a growing concern and it requires more capital for expansion and

purchase of up-to-date machineries. It must also be mentioned that its production has greatly fallen since February 1961, as the table of production, Ext. E shows. In the circumstances and in view also of the admitted fact that every year on the occasion of Edd-ul-Fitr the second party gives to each of its workers a lump sum of Rs. 10 as Eid baksish we find no justification for the present demand for a further increase of the rate of bonus. The demand is rejected.

Demand No. 4—*Medical allowance and free medical treatment*—At the hearing the Union asked for no medical allowance, nor did it furnish any data on the basis of which such allowance could be granted. What it demanded is that the workers should be at liberty to consult doctors of their own choice and that the management must be required to pay the doctor's bill and the price of medicine. The management contends that for want of accommodation it has not been able to provide a dispensary within the factory premises; nevertheless it gives medical relief to workers as and when necessary. From the evidence adduced and the submissions made before us it appears that whatever medical relief is now given by the management is given in the shape of price of medicine on the workers producing prescriptions from the doctor attached to the out-door dispensary of the Mitford Hospital, Dacca, and vouchers in proof of the medicine costs. The arrangement is by no means satisfactory. Besides, it is complained that the price of medicine is not always paid. But at the same time it must not be forgotten that if the workers are permitted to consult doctors of their own choice the privilege may be abused and the management confronted with a multitude of bills daily which it would be difficult for it to honour. Therefore, we think the best course would be for the second party to engage a part-time doctor who would visit the factory at certain specified hours every working day and attend to those of the workers who are sick and prescribe for them the necessary medicine which shall be supplied or paid for by it. If it cannot supply the medinine direct, it may select a drug store of its own choice and require the medicines to be purchased from that stores. We consider this arrangement to be the only reasonable solution of the problem and accordingly we direct that it be given effect to immediately.

Demand No. 5—*Leave Facilities*—At present the workers get 10 days' annual holiday, 7 days' casual leave and 10 days' festival leave with full pay. The Union demands that the workers should be granted, besides 10 days' annual holiday, 15 days' casual leave, 15 days' festival holiday and 15 days' sick leave, with full pay. The second party, in its written statement agreed to give 10 days' casual leave and 11 days' festival leave in addition to the 10 days' annual holiday. The Union insists that the workers should be given sick leave too and in support of this claim relied upon the fact that the Dacca Match Factory is giving its workers 7 days sick leave and that in a recent bipartite agreement published in the East Pakistan Labour Journal—Ext. 2 the Habib Industries, Match Factory has agreed to give its workers 6 days' sick leave. From the comparative table production—Ext. I we find, however, that the Amin Match Works cannot compare with either of those two factories which are much bigger concerns and are more firmly and securely established. A comparable industry is the Prasanna Match Factory, Dacca and it is admitted that the Prasanna Match Factory gives no sick leave to its workers. The Union then relied upon an uncertified and unauthenticated copy of an alleged agreement between the Ujala Match Factory, Dacca and its workers under which the former is said to have agreed to give the latter 15 days' sick leave in a year with effect from 1st June 1960. It made no attempt, however, to prove the agreement or the implementaion thereof. The second party contends that the agreement was never acted upon. In the circumstances, we cannot accept this document as evidence of a valid and binding agreement. We are of the opinion that a growing concern like the Amin Match Works cannot suffer its production to be impeded by frequent stoppage or dislocation of work which leave under various heads necessarily involves. The amount of leave which it has agreed to give is the maximum that the Union can expect to get at this stage and therefore, we hold that in addition to the 10 days' annual holiday the workers shall get 10 days' casual leave and 11 days' festival leave. The rest of the demand in this behalf is refused.

Demand No. 7—*Provident Fund or in lieu thereof gratuity*—None of the Match Factories at Dacca except the Habib Industries Match Factory has introduced the system of Provident Fund or gratuity. The Habib Industries Match Factory again, has not introduced the system yet but has only agreed to introduce it with effect from 1st January 1962, as the agreement published in Ext. 2 purports to show. However that may be, there can be no comparison between the Habib Industries Match Factory and the Amin Match Works. The Habib Industries Match Factory's production is 8/9 times greater than that of the Amin Match Works, which means, the former is in a far better position financially than the latter. Therefore, we hold that the Amin Match Works cannot be saddled with an additional liability at this stage of its production. Accordingly we reject this claim.

Demand No. 8—*Free quarters*—The factory is too small and its financial position is not stable enough to provide free accommodation. The demand is rejected.

Demand No. 9—*Paid holidays for Shab-e-Barat, 1958, Independence Day, 1959 and Shab-e-Barat, 1960*—Each of these holidays, it appears, fell on a Friday which is observed as a weekly holiday in this factory, and consequently the workers were not paid wages for these days. The Union's contention is that since these are festival holidays the workers cannot be deprived of their wages. In our view this contention cannot be given effect to. Festival holidays are granted that the workers may perform their religious or social obligations. They cannot be treated on the same footing as the annual holidays which can be availed of as an when necessary. Therefore, if any festival holiday happens to coincide with the weekly holiday the management cannot be asked to pay wages for that day. The management may, in its discretion, grant an additional holiday in such cases, but it cannot be claimed as of right. Therefore, the demand for wages for these holidays cannot be entertained and is rejected.

Demand No. 10—*Leave Cards*—The management maintains leave cards but does not provide a duplicate copy to the workers on the ground that it would entail much extra labour and moreover, it would be difficult to collect the duplicate copies for necessary entries. Mr Qader, member representing the employees, suggested that instead of issuing duplicate cards the management may issue slips whenever any leave is granted and this suggestion was accepted by the second party. Accordingly we direct that whenever leave is granted to a worker the order granting leave shall be communicated to him in such form as may be found convenient by the management.

Demand No. 12—*Other points of agreement, dated 1st April 1957 to remain in force as before*—The demand was not pressed and therefore, need not be considered.

M. A. JALIL,
Chairman,
Industrial Court,
East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department. In-charge, East Pakistan Government Press, Dacca.

"Every non-official trustee shall also be paid a daily allowance and travelling allowance for journies performed on official business other than attending a meeting of the Board at rates admissible to a class I Government servants", shall be *added*.

2. In sub-rule (*1*) of rule 32 of the said rules, for the full-stop at the end, a colon shall be *substituted* and thereafter the following provisos shall be *added*, namely:—

"Provided that a member who is a minor shall not make any nominantion until he has attained the age of majority; and

Provided further that on the death of such member, before attaining the age of majority, the whole of the amount standing in his credit in the Fund shall become payable to the members of his family according to the personal law of the deceased".

By order of the Governor,
M. A. SIDDIQUI,
Jt. Secy. to the Govt. of East Pakistan.

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WEDNESDAY, NOVEMBER 15, 1961

SUPPLEMENT—Official Papers

GOVERNMENT OF EAST PAKISTAN

DIRECTORATE OF AGRICULTURE

Final Estimate of Jute Crop of East Pakistan for the Season 1961-62.

[This estimate deals with the production of Jute in Province.]

Acreage—This estimate reflects no change over the acreage figures already shown in the 1st estimate. The total acreage under Jute during this season was 20,60,500 acres of which 5,62,250 acres were under olitorious variety and 14,98,250 acres were under capsularies variety.

Production—This year the total production for the Province has been found at 69,68,635 bales which is higher by 24 per cent. over the production of last year. This increase in production is attributed to the increase in acreage due to abolition of Jute licensing system and withdrawal of ban on the cultivation of Jute in border belt areas. The record price of last year also induced the growers to grow more Jute this year. The final figure on production of Jute has been arrived at on the basis of Yield per acre in different districts of the Province, as ascertained by crop cutting experiment, conducted in each Jute growing Union by the Field Officers of the Directorate, as usul.

THE APPENDIX

Divisions and districts.	The acreage under jute as per 1st estimate (acres) of 1961-62.		Total.	The production of jute in bales of 400 lbs. during the year 1961-62.		Total.
	Olitorious.	Capsularies.		Olitorious.	Capsularies.	
Dacca—						
1. Dacca ..	73,300	1,46,700	2,20,000	2,78,540	4,98,780	7,77,320
2. Kishoreganj ..	18,000	1,71,500	1,89,500	68,400	5,83,100	6,51,500
3. Mymensingh ..	91,300	3,57,300	4,48,600	3,46,940	12,14,820	15,61,760
4. Faridpur ..	69,600	61,300	1,30,900	2,50,560	1,59,380	4,09,940
Chittagong—						
5. Chittagong	100	50	150	170	75	245
6. Chittagong Hill Tracts ..	250	..	250	700	..	700
7. Noakhali	300	31,200	31,500	690	68,640	69,330
8. Comilla	19,800	2,17,500	2,37,300	75,240	7,39,500	8,14,740
9. Sylhet	..	35,600	35,600	..	85,440	85,440
Rajshahi—						
10. Rajshahi	65,400	43,000	1,08,400	1,96,200	1,11,800	3,08,000
11. Dinajpur	7,900	28,600	36,500	18,170	57,200	75,370
12. Rangpur	46,500	2,39,500	2,86,000	1,67,400	8,38,250	10,05,650
13. Bogra	35,500	40,000	75,500	1,27,800	1,32,000	2,59,800
14. Pabna	26,600	74,800	1,01,400	2,75,760	2,46,840	5,22,600
Khulna—						
15. Khulna	13,200	5,300	18,500	36,960	11,660	48,620
16. Barisal	12,000	22,000	34,000	28,800	48,400	77,200
17. Jessore	36,500	18,200	54,700	1,31,400	56,420	1,87,820
18. Kushtia	46,000	5,700	51,700	1,01,200	11,400	1,12,600
Provincial Total ..	5,62,250	14,98,250	20,60,500	21,04,930	48,63,705	69,68,635

A. RAHIM CHAWDHRY,
Director of Agriculture, East Pakistan.

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THURSDAY, NOVEMBER 23, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

WORKS DEPARTMENT

Development Bodies Section

NOTIFICATION

No. 659-IT/2M-6/61—13th November 1961—In exercise of the powers conferred by sub-section (*3*) of section 22 of the Chittagong Development Authority Ordinance, 1959 (East Pakistan Ordinance No. LI of 1959), the Governor is pleased to publish below draft of a Master Plan for Chittagong prepared by the Chittagong Development Authority under sub-section (*1*) together with a report on the same for general information. Detailed maps relating to the Master Plan may be seen in the Offices of the Chittagong Development Authority, the Chittagong Municipality and the Deputy Commissioner, Chittagong on working days during office hours.

Any person likely to be affected by the plan, may file objections with the Provincial Government within thirty days from the date of publication of this notification.

By order of the Governor,
D. AHMED,
Dy. Secy. to the Govt. of East Pakistan.

REPORT ON THE DRAFT MASTER PLAN FOR CHITTAGONG

CHAPTER 1

INTRODUCTION

1. The draft Master Plan, which accompanies this Report, comprises a map to a scale of 1:20,000, showing the regional proposals for the recommended extent of the Development Authority's area, together with a map to the larger scale of 1:3960 showing the proposals for Chittagong and its environs.

Instructions—

2. We were instructed on 26th April 1960 by the Secretary of State for Commonwealth Relations, to prepare a Master Plan for the area of the Chittagong Development Authority under the Technical Co-operation Scheme of the Colombo Plan, in close consultation with the Development Authority's officials. It was agreed that the Plan, accompanied by an interim Report explaining the principal proposals, should be prepared in draft for the comments of the various Government Departments and other interested bodies, to be followed by the Final Plan and Report, after consideration of the comments received. On 8th February 1960, our Chittagong office commenced work on the draft plan.

Acknowledgements—

3. We take this opportunity of acknowledging the generous help extended to us in our work. In particular we would like to thank the Chairman of the Chittagong Development Authority, Mr. Golam Rahman, and Members of the Authority, as well as Lt.-Col. Z. Hassan, Chairman of the Municipality, the General Manager, of the Pakistan Eastern Railway, Mr. A. Mohiuddin and Chief Engineer, Mr. A. A. Shah, Mr. M. A. Bary, Chairman of the Port Trust and Mr. K. A. Hussain, Chief Engineer. We also gratefully acknowledge the advice

and assistance given by the administrative and technical representatives of both the East Pakistan Government and the Government of Pakistan, and the Ralph M. Parsons Company who have prepared reports on water supply and main drainage for Chittagong; and to other helpers, too numerous to mention by name, we would like to extend our thanks for their co-operation and interest.

Extent of Planning Area—

4. The area which we recommend should be controlled by the Chittagong Development Authority is approximately 212 square miles in extent, 22 miles from north to south, and 13 miles east to west at its widest. The area is centred on Chittagong, chief port of East Pakistan, and on the north includes Kumira and Hathazari; to the east the boundary follows a line beyond the Halda River crossing the Karnaphuli River to include a large area on the east bank of the river, and extending southwards to the point where the Karnaphuli joins the Bay of Bengal. The extent of the area recommended for control by the Chittagong Development Authority is shown on key plan 1.

5. The present population is approximately 648,000 persons, of whom about 370,000 live in Chittagong and its environs (the 1:13960 scale plan area, but excluding the east bank of the Karnaphuli); and 278,000 in the surrounding rural areas, including the east bank.

6. The planning proposals for the whole of the Chittagong Development Authority's area are presented in diagrammatic form on the 1:20,000 scale regional plan, whilst more detailed proposals for Chittagong and its environs, including part of the east bank of the Karnaphuli, are shown on the 1:3960 scale plan, supplemented by small scale diagrammatic plans in the Report itself.

Chittagong as Chief Port of East Pakistan—

7. Since Partition of the Indian sub-continent in 1947, Chittagong, then a comparatively small port town in the east of Bengal, has become the chief port of East Pakistan, serving a population of over 50 million people; expansion and modernisation of port facilities followed, and population has greatly increased. Chittagong has now to adapt itself to the status and standards of a modern port town and major industrial centre. We hope that the implementation of the Master Plan proposals will help it to function efficiently as East Pakistan's premier port, and make it a happy and convenient place for its citizens to live and work in.

8. Compared with many other towns in East Pakistan, Chittagong is favourably situated for development. It is located on the deep water channel of the Karnaphuli River, only a short distance from the sea; there is ample flat land available for development which is free from prolonged monsoon flooding, or can be raised above flood level with a minimum of fill from the nearby hills. At the same time, the hills provide scope for varied residential development to a high standard of amenity. Proximity to the sea gives pleasant sea breezes and relief from the oppressively hot weather of some inland towns, whilst the sea shore and the verdant hills are recreational and amenity features of high value to the inhabitants.

Particular Problems of the Area—

9. Whilst we deal in detail, in subsequent chapters, with the problems of Chittagong's development, we must mention, at the outset, what we consider to be the three particular problems facing the area.

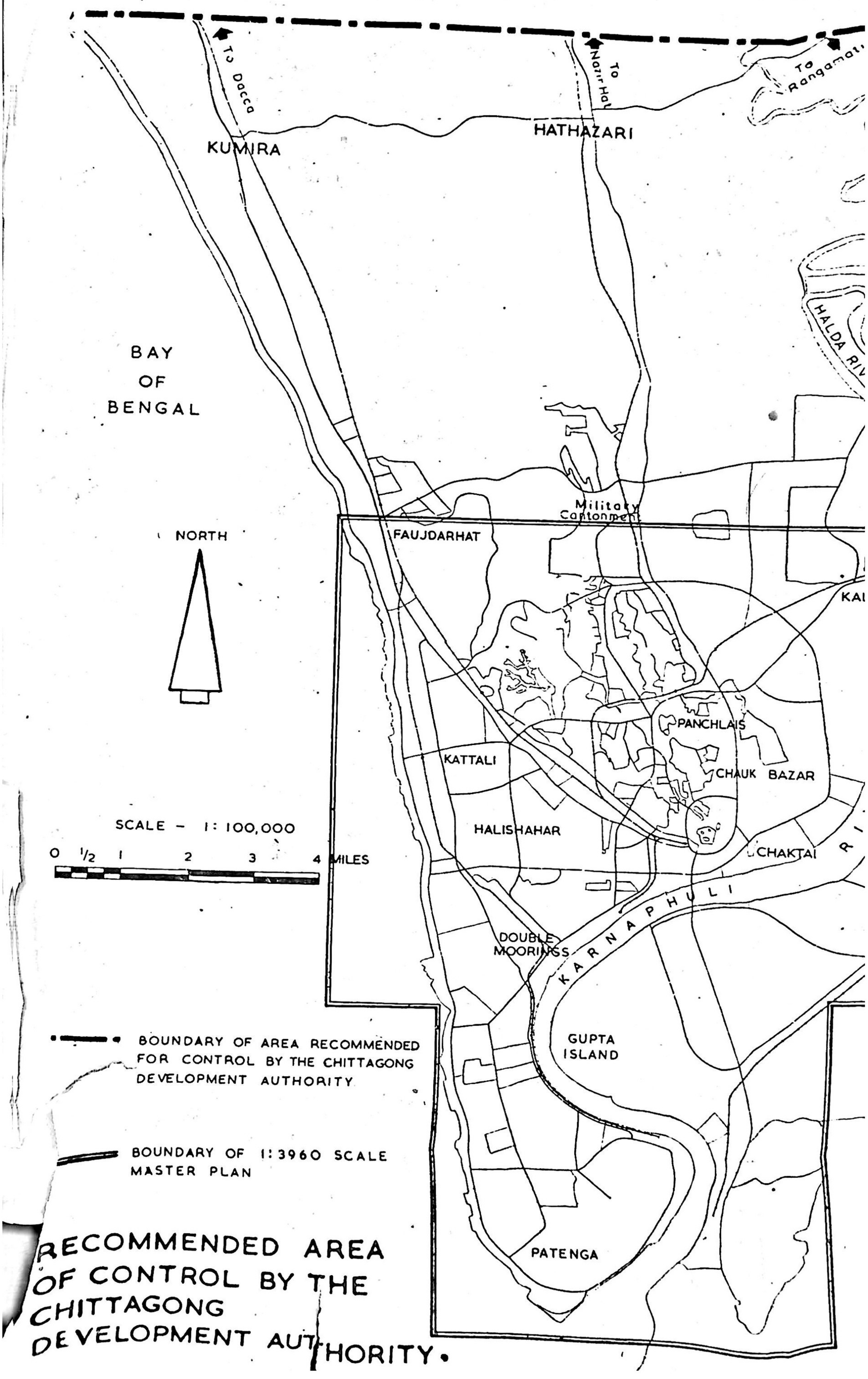
10. The first is the almost complete lack of a modern road system. Only the recently constructed Quaid-e-Azam Road between Strand Road, and Dacca Trunk Road, is suitable for modern traffic; elsewhere roads are tortuous, narrow and without footpaths. Many are congested with a mixture of pedestrians, carts, slow moving rickshaws, fast moving lorries and motor cars; road conditions generally are both unpleasant and dangerous.

11. The second is the grave deficiency of open spaces, particularly public parks and small amenity areas suitable for use by children; and there are also too few playing fields.

12. The third is the pressing need for a modern water supply system. The present piped supply only serves a limited area and is unable to cope with demand; elsewhere premises rely on tube wells, which is an unreliable source. The implementation of the water supply scheme now being prepared by the East Pakistan Government's engineering consultants is urgent; only slightly less urgent is the provision of a sewerage scheme.

Preparation of Master Plan: Major Assumptions—

13. In preparing the Master Plan, we have had to decide how far to accept existing conditions, and what major assumptions could be made about the future. If the whole of the old, congested area of Chittagong, for example, could be swept away, and the planner had a clear field on which to work, he would



RECOMMENDED AREA OF CONTROL BY THE CHITTAGONG DEVELOPMENT AUTHORITY.

present proposals differing radically from those he would present on the basis of the present town remaining. We have made the following major assumptions:

That Chittagong will maintain its position as East Pakistan's Chief Port, and that its importance as a major industrial centre will increase.

That the central area of present day Chittagong (the old town) will be maintained as the principal business and shopping centre.

That the extensive, relatively low flying areas west of the Dacca Trunk Road and southwards to Patenga, which were inundated by the October, 1960, tidal surge, and are from 12ft. to 20ft. above sea level will continue to be developed, and that protection against further inundation will be given by coast protection works.

That the population will continue to increase at a rate of approximately 2·25 per cent. per annum.

Future Population of Chittagong Development Authority Area—

14. Assuming a continuation of the present rate of population increase, in 20 years the population within the Development Authority's area will be approximately 1,011,000 persons, an increase of some 363,000 over the present figure.

15. Whilst it is not usual in planning schemes to forecast population trends further ahead than 20 years, we can probably assume a continuing high rate of population increase after this period, though the rate may well fall if family planning is widely adopted.

16. With regard to the amount of land suitable for development to meet the anticipated population expansion, our survey shows that this will be sufficient for building needs for the foreseeable future, though much displacement of the existing rural population will result; and because the hilly ground which penetrates into Chittagong forms a wide wedge and splits up the areas suitable for development, it is invitable that the town will tend to sprawl outwards rather than form compact areas of expansion. There is, therefore, need to economise in the use of land.

The Need for Planning: National and Local—

17. We wish at this early stage in our Report to emphasize the need for planning control of all land within the area of the Development Authority. But as we emphasized in our Report on the Master Plan for Dacca, implementation of local schemes may become difficult, or even impossible, if they are not first integrated with a planning policy conceived at national level to guide the distribution of population and industry and the development of towns throughout East Pakistan; what is required is a Master Plan for East Pakistan.

18. So far as local planning is concerned, it is highly desirable that control over the use of land and buildings, whether for development by Government departments or private individuals, should vest in a single planning authority. Only a single authority, in this case the Chittagong Development Authority, having before it all the necessary information and a comprehensive picture of the town's needs, can judge what is the best use of each piece of land in the interests of the area as a whole, and provide for an orderly implementation of the plan.

The Proposals—

19. In the following chapters the planning proposals are separately described. We must emphasise, however, that the object of the Master Plan is to establish planning principles rather than to lay down a detailed, inflexible scheme. Only the most important proposals are individually indicated. Once these are agreed, it will be necessary to work out the proposals in detail in collaboration with the authorities concerned. The Master Plan should be periodically reviewed. As our proposals are based upon certain assumptions and upon existing conditions, as ascertained by survey, a change in any of these basic considerations might well necessitate a revision of some of the Plan's proposals.

CHAPTER 2

THE AREA OF THE CHITTAGONG DEVELOPMENT AUTHORITY

20. We recommend that the northern boundary of the Chittagong Development Authority area should follow a line running inland from the Bay of Bengal, just to the north of Kumira and Hathazari. Both these centres, which have good road and railway access to Chittagong and are about thirteen miles to the north, have considerable potentialities for expansion: there is also much suitable land in between where development should be controlled. On the east we suggest a boundary approximately one mile east of the Halda River, so that development along either bank of the river can be controlled. The boundary would cross the Karnaphuli River near its junction with the Halda and include an area averaging four miles wide on the east bank of the Karnaphuli. The east bank lands, particularly opposite Chittagong, offer scope for extensive residential and industrial development, once cross-river transport facilities are improved. The suggested boundaries, which are indicated on the key plan 1, will require to be worked out in detail to follow natural features wherever possible. Total area is approximately 212 square miles.

CHAPTER 3

TRANSPORT

CHITTAGONG PORT

21. Chittagong is the chief port of East Pakistan, and until the development of Chalna Anchorage, south of Khulna, it was the only sheltered deep water port with direct river access to the sea suitable for ocean going ships. It is located on the west bank of the Karnaphuli River, approximately eight miles upstream from the Bay of Bengal.

22. Since Partition, when the East Pakistan trade was diverted from Calcutta to Chittagong, port facilities at the latter have been modernised and greatly expanded. Chittagong is the terminus of the East Pakistan metre gauge railway system which serves the area east of the Padma River: west of the Padma the system is mostly broad gauge. Hence goods entering East Pakistan through Chittagong, and destined for areas west of the Padma, have to be transferred from the metre gauge to the broad gauge system and ferried across the Padma, which is not bridged. Chittagong also has the disadvantage of being located in the extreme east of the country, and is not directly connected to the inland waterway system, which plays such a vital part in the transport of goods in East Pakistan.

23. It would, therefore, be logical to develope the Chalna Anchorage, below Khulna, to serve the western part of East Pakistan for both imports and exports; and on any rational allocation of traffic, it seems inevitable that some of Chittagong's trade will be diverted to Chalna, particularly imports.

24. At the same time, we believe that Chittagong will continue to be the country's chief port; and with the gradual raising of the standard of living and the expansion of industry at Chittagong, its trade may well expand, though with a better balance as between exports and imports; at the moment imports greatly exceed exports.

Port Facilities—

25. The present deep water berthage comprises approximately 10,000 ft. of river frontage, which is laid out with quays and jetties, sheds, railway yards and roads. There are thirteen modern berths, four older berths in the Auxiliary Port and two moorings: in addition, there are naval berths and three deep water oil berths further down the river serving the private oil installations. some ships offload by berge in the deep anchorage in the Bay of Bengal.

26. Ships of up to 28 ft. draught, i.e., of about 10,000 tons gross, can reach the port quays at high tide. Continuous dredging of the deep channel is needed to prevent silting, and further deepening is comtemplated so that 10,000 tons ships can enter the port at all tides.

Expansion of Port Facilities—

27. The present annual turnover of the port is 2·6 million tons, comprising imports of 2·1 million tons and exports of 0·5 million ton. We understand from the Port Trust that capacity is adequate for present needs, and that by modernisation of certain quays, improvement of handling and storage facilities, replacing the remaining jetties by quays and working three labour shifts instead of two, the present port turnover could be increased to 6 million tons per annum. A further increase above this could be achieved by removing the present cotton mills between Quay No. 13 and Jetty No. 14 which would give room for four or five more berths. Potential port capacity is thus sufficient to cope with any

foreseeable expansion in trade. In the circumstances we do not make any recommendation for reserving land to extend the Port Trust berthage.

Strand Road Godown Area—

28. Above the main port area, extending up river to Sadarghat Ferry, a distance of about 1¼ miles, is the Strand Road godown area, partly comprising a relatively narrow strip of congested godowns between Strand Road and the river and the steamer station. Strand Road is narrow and also accommodates a railway line with spurs to the godowns. Most godowns are served by wooden jetties projecting into the river, which is here quite shallow.

29. This godown area meets a definite public need for storage of goods by smaller traders, and is advantageously situated with road, rail and river access. There is evidence that the railway siding is extensively used, and any widening scheme for Strand Road should make provision for the retention of the siding though the provision of a footpath between the railway and the boundary of the godown area would be an advantage.

Land Reclamation: Strand Road Godown Area—

30. Along part of the river frontage to the Strand Road godown area there is likely to be scope for land reclamation. We understand that the report of the Director of the Wallingford Hydraulics Research Station, where a scale model of the river has been prepared in order to study its behaviour, is likely to recommend the construction of a training wall in the river in continuation of the line of the adjoining Port Trust berths. This should enable the godown area to be enlarged by an average width of approximately 250 ft. almost up to Sadarghat and also to be provided with modern berthage facilities with a sufficient depth of water to accommodate large barges and coastal vessels.

31. The present congested layout, however, prevents full advantage being taken of this extra width to provide modern handling and storage facilities, with a quayside road, and possibly a parallel railway line. Many of the godowns are of flimsy construction, and we recommend that the whole area should be acquired by the Chittagong Development Authority and laid out afresh for godowns, unless the present owners can get together and themselves produce such a scheme; there should be no difficulty in disposing of the sites, for which there would be a big demand.

Riverside Industrial Sites: West Bank—

32. **Oil Storage**—On the west bank of the Karnaphuli, deep water facilities, suitable for industries requiring direct importation of raw materials by sea-going vessels, are limited to sites below the Naval Base, just south of the main port area. Here approximately 1,800 ft. of frontage is occupied by oil storage installations, and there are three oil jetties. A further 2,700 ft. of river frontage above the present oil storage area is proposed to be reserved for possible extensions.

33. **Steel Works**—The development of steel works is proposed on a 700 acre site just above the oil installation area, having approximately 2,200 ft. of deep water frontage; this will occupy the remaining river frontage behind the river front road up to the existing Naval Base.

34. **Fish Harbour**—Approximately one third of a mile down river from the oil storage area, a site of about 16 acres is reserved for a fish harbour and ancillary activities. It is intended that a fleet of trawlers should operate from this harbour. At this point it will be necessary to divert the existing river front road to the landward side of the site.

35. **Other Riverside Industrial Sites**—Above Sadarghat the depth of water, even in the deep channel, is restricted, though it is sufficient for shallow draught vessels to serve the Kalurghat heavy industrial area; similar water transport facilities are available nearby for the proposed Halda River special industrial area.

36. **Riverside Industrial Sites: East Bank**—On the east bank of the Karnaphuli River large areas are suitable for industrial development, but the river frontage with deep water facilities is restricted to the area opposite Gupta Point, where the deep water channel swings across to the east Bank, and southwards to a point near Juldia Signal Station. This frontage, however, could only be utilised after the construction of training walls and reclamation up to the present river boundary. A small part of this area is sterilised by the Patenga Airport flight cone, and part is restricted to a relatively narrow riverside strip because the ground rises fairly steeply inland from the river. Upstream, Gupta Island fronts shallow water: to make it suitable for heavy industry would necessitate dredging a deep channel and providing railway facilities by a branch line from a point near Kalurghat Bridge. Public utility services, including drainage and water supply, would also have to be provided. This seems unlikely in the near future,

unless this area is to become the site of large scale specialised industries which would justify the construction of expensive terminal facilities.

Road Access to the Port—

37. Road access to the port area requires drastic improvement. An early widening of Sadarghat Road is imperative, together with the construction of a relief route to the north of Strand Road from Sadarghat Road to Dacca Trunk Lane. This, together with the widening of Dacca Trunk Lane as far as its junction with Quaid-e-Azam Road, and the diversion and reconstruction of Strand Road extension to the bridge near the dock fire station will provide a convenient lateral route for through traffic, leaving Strand Road as a Service Road for local dock and business traffic.

38. **Riverside Road**—We consider that the riverside road to Patenga should be maintained as a public highway. In spite of the existence of railway lines and the open storage of coal alongside, it still retains pleasant views over the river estuary and its closure to through traffic between a point south of Salt Gola and the road to the airport would be a public loss. It will, however, require to be widened. With the development of steelworks adjoining the oil storage installations there may be interference with road traffic, because raw materials for the works will have to be unloaded across the road. If a wet dock is constructed at the naval base, just above the steel works site, traffic could be halted for relatively long periods. In such an event it would be necessary to provide diversionary roads round the Naval Base.

39. **Road Bridge across the Karnaphuli River**—The port and town of Chittagong have developed along the west bank of the river, but there are considerable possibilities for development on the east bank, though this area at present is entirely rural. Extensive development here is, however, unlikely, until cross river communications can be improved by the provision of a vehicular ferry. Looking many years ahead, the time might come when a bridge over the river from Sadarghat Road would be justified, and the approaches on both banks should, therefore, be kept clear.

40. **Waterfront Open Space**—Every riverside town should have its waterfront open space, preferably near to the town centre where it can function as a green lung and is easily accessible to the public; such parks are, indeed, a feature of many towns in the Indian sub-continent. There is an excellent site for such a park immediately east of Sadarghat Road, fronting a shallow stretch of the river; this is in an area of high amenity, which could be laid out as a park with the minimum of displacement of population.

Report on Karnaphuli River—

41. As mentioned earlier in this chapter, the Wallingford Hydraulics Research Station is reporting on the training of the river and the report is expected soon. The proposals, if adopted, could greatly affect the potentialities and timing of reclamation and development for certain of the river front areas; close regard must, therefore, be had to the report's recommendations when received.

THE RAILWAY

42. Chittagong is the headquarters and terminal of the Pakistan Eastern Railway, and here employs about 10,000 persons. Lines radiate north-west to Dacca, north to Nazir Hat and eastwards across the Karnaphuli River to Dohazari. A line from the port marshalling yards, west of Chittagong, joins the Dacca line at Faujdarhat, thus by-passing the heavily worked sections of the railway in the centre of the town.

43. The railway authority owns approximately 1,930 acres in Chittagong, of which a substantial part is occupied by sidings, locomotive and wagon repair sheds, ancillary buildings and administrative offices; another large area is occupied by railway housing and associated open spaces and schools. Probably few other railway systems in the world have such an attractively landscaped setting for their offices, which occupy a commanding position on high ground within the railway cantonment. In addition, the railway owns the beautiful Foys Lake area north of Khulsi Road, from which their water supply is drawn.

Chittagong Railway Station—

44. The present terminal station is situated on Station Road, west of the junction with Sadarghat Road. It is not modern, nor is it convenient as a terminal. The booking offices and assembly hall are located on one side, as the lines continue on past the station to the carriage washing sidings. Thus passenger access from the assembly hall to the various platforms is gained from a narrow overbridge. A new station better able to serve the expanding needs of Chittagong is certainly justified.

45. We consider that the general location of the station in relation to the town is excellent, as passengers are set down near to the central business and administrative area and to the densely developed residential areas of the old

town. We propose, however, that the new terminal station should be built slightly east of the present station and fronting into the proposed inner ring road, with booking and assembly halls across the end of the railway with direct access to all platforms. In front of the station an open space is proposed, part of which would accommodate a central bus station and car park.

Level Crossings—

46. There are a number of level crossings in the town. Two of these, on Pathantoli Road and Tiger Pass Road, are often obstructed, as they both cross the main line out of Chittagong. Work on building an overbridge to replace the Tiger Pass Road level crossing has started; this should greatly improve road communication between areas west of Chittagong and the rapidly developing areas to the east and north-east of the railway. Eventually we suggest an over-bridge for the Pathantoli Road crossing: compared with Tiger Pass Road, it is relatively lightly trafficked, but forms a useful link between Quaid-e-Azam Road and Station Road and will be much more used when the extensive areas on either side of Quaid-e-Azam Road are developed.

47. On Strand Road, just east of its junction with Quaid-e-Azam Road, there is a level crossing over the branch railway line serving the goods station and port passenger station, but this line is not intensively used, as much of the port traffic by-passes it, and hold-ups are not frequent. The Master Plan proposes a new road between Sadarghat Road and Dacca Trunk Lane which will by-pass this section of Strand Road, though it will still cross this same branch line on the level.

48. Further west, Strand Road Extension is crossed by the railway line from the port marshalling yards to the Auxilary Port and to industrial establishments beyond. Delays here are fairly frequent and may well become worse. As Strand Road Extension is the only road to the airport the elimination of hold-ups is highly desirable. We hardly think, however, that a road bridge is likely to be justified in the foreseeable future, but would suggest that, if feasible on engineering grounds, the line should be diverted to the south of Strand Road Extension past the National Cotton Mills, in order to join the lines passing under the road bridge to the marshalling yards.

49. Nasirabad and Hathazari roads, which are important north-south routes, cross the heavily trafficked branch line to Nazir Hat and Dohazari; Nasirabad Road is the main route to the light industrial estate, whilst Hathazari Road is becoming increasingly important as a through traffic road: its importance will further increase when the large industrial area to the east is developed. We consider that these two level crossings should be replaced by road bridges when the new roads are constructed.

50. Regarding the level crossing of the Dacca main line by Khulsi Road near the Faujdarhat Industrial Estate, we consider that eventually an overbridge will be justified, as Khulsi Road forms part of an important east-west route.

51. As mentioned earlier in this chapter, we consider that the Strand Road siding should be retained, as it serves the godown area between Strand Road and the river. If, however, this godown area is comprehensively redeveloped in connection with the reclamation of part of the river foreshore, it might be possible to resite the railway parallel to and nearer the river.

Reservation of Additional Land for Railway Use—

52. We understand that the land owned by the railway at Pahartali, which adjoins the present workshops and maintenance yards, is sufficient for any future extensions which might be required.

53. Considerable land, is however, required for railway housing, in order that all employees and their families may be accommodated in permanent houses. Some 8,000 employees, additional to those already accommodated by the railway will require houses over the next 10 years. On the basis of one employee per family, this will necessitate 8,000 additional houses. The railway cantonment already extends northwards to Khulsi Road and the nearest land to it suitable for high density housing lies immediately to the north. It includes the Agricultural Farm, for which another site will be found outside the area of the 1:3960 scale Master Plan, probably in the Hathazari area. We recommend that an area of approximately 535 acres should be reserved for railway housing and ancillary development north of Khulsi Road, the exact boundaries being determined after detailed survey of this total about 348 acres are suitable for high density development. This site will accommodate about 3,953 houses, leaving a balance of 4,047 houses for which sites will have to be found elsewhere.

Foys Lake—

54. The Foys Lake area is owned by the railway who rely on it for their water supply. This area has been carefully conserved by the railway, and

nature and man have here combined to fashion a most beautiful and intimate landscape of water and steeply slopping little tree covered valleys. Members of the public are excluded, unless permitted entry by special pass, in the interests of protecting the water supply and the surrounding gathering ground.

55. If, in the future, the railway obtains a supply from the mains water scheme, on the first section of which work is likely to start soon, the Foy's Lake supply may no longer be needed. In this event, we would like to see Foy's Lake and the surrounding area of hills and valleys converted into a regional park, which would be thrown open to the public. This, together with an area of 354 acres, which we propose as botanical and zoological gardens would provide a unique regional park of some, 1,073 acres.

ROADS

56. Chittagong is a terminal point for transport, and the need is to plan a road system to cope efficiently with traffic circulating in the town, rather than with through traffic. In any case, owing to the relatively undeveloped state of the main road system in East Pakistan, long distance road transport plays a relatively minor part in the country's economy, compared with rail and water transport, though it will inevitably increase as roads are improved.

57. Main roads converge on Chittagong from Dacca (about 180 miles away), from Nazirhat (about 20 miles away), from Rangamati (about 50 miles away *via* Hathazari and the Upper Halda Bridge), and from Kaptai (some 35 miles away). In addition, with the opening of Kalurghat Railway Bridge to motor vehicles, there will be a through road from Chittagong to Cox's Bazar, about 70 miles away. The main road system is shown on key plan 2.

Present Defects of Road System in Chittagong—

58. The principal defects of the present road system are:

(a) The inadequacy of existing roads, almost everywhere, to cope with motor traffic. With the exception of the recently constructed Quaid-e-Azam Road and a short length of Strand Road and Kalurghat Road, the roads of Chittagong are mostly narrow and winding, and within the built up area are intensively developed and crowded with pedestrians. Though of totally inadequate width, they have to function as shopping and market streets, and must accommodate a heavy volume of pedestrians, slow moving cycle rickshaws, bullock carts, and fast moving motor traffic. Highway conditions in Chittagong are certainly worse than in Dacca; the shortcomings of the road system are aggravated by the apparent inability of the authorities to control or prohibit the erection of large numbers of kutcha shops along the main roads out of the town. These shops are usually erected on the edge of the carriageway, reducing the road to little more than the width of two vehicles, and creating extremely dangerous conditions for both vehicles and pedestrians. Immediate steps should be taken to stop this practice, by an amendment to present legislation to compel all developers first to submit plans, and by the enrolment of an adequate number of enforcement officers empowered to take speedy action against transgressors. Unless control is exercised there can never be any hope of Chittagong having an efficient and safe highway system, as improved conditions in one area will largely be nullified by worsened conditions elsewhere.

(b) The absence of good east-west roads linking up the main routes radiating out of Chittagong, particularly the Dacca Trunk Road, Hathazari Road and Kalurghat Road, along all of which considerable industrial development is taking place.

(c) The lack of a through route between the Kalurghat heavy industrial area on the north-east and the port area on the south-west which avoids traversing the main built up area of Chittagong.

(d) The absence of a good road parallel to the river between Sadarghat Ferry and the main port area to the west.

(e) The absence of an inner ring road round the central area of the town.

(f) The absence of a road crossing of the Karnaphuli River to serve the Chittagong—Cox's Bazar traffic which now is ferried across the river. This defect will, however, be remedied as soon as Kalurghat Railway Bridge is adapted to take motor vehicles.

Principal Proposals—

59. It is certain that the limited financial resources likely to be available for highway improvements will be insufficient for the reconstruction of Chittagong's roads to modern standards. The aim of the town plan therefore should be to concentrate on the development of a simple pattern of main roads for the

speedy movement of motor traffic. Even though improvements and new construction may only be carried out piecemeal, they should form part of a comprehensive and predetermined road pattern.

60. In the old town our proposals are based, wherever possible, on the principle of avoiding interference with existing intensively developed shopping streets by planning new roads parallel to them, though the hilly nature of the ground limits the opportunities for entirely new roads, and much widening of existing roads will have to be undertaken.

61. The principal proposals, which are numbered and shown diagrammatically on key plan 2, comprise:

62. **Radial Roads: Route 1**—Improvement of Dacca Trunk Road and its continuation eastwards along Ice Factory Road to the inner ring road at the proposed station square.

63. **Route 2**—Improvement of Nasirabad Road, which is the principal access to the light industrial estate, party by a new road east of Government House, linking up with the inner ring road.

64. **Route 3**—Improvement of the Hathazari Road, which carries a frequent bus service, and its southerly continuation into the old town by a new road by-passing the congested Chauk Bazar and Sirajudaulla Road, and joining the inner ring road.

65. **Ring Roads: Route 4**—An inner ring road encircling most of the old town and following a route slightly under half a mile radius from the centre.

66. **Route 5**—An intermediate ring from the port area at Strand Road to the Kalurghat heavy industrial area. This follows Quaid-e-Azam Road and Tiger Pass Road to the Police Lines, thence by a new road northwards and eastwards past Sholashahar Railway Station to join Kalurghat Road, with a connection to the Halda River bridge.

67. We regard Route 5 as one of the most important traffic routes in Chittagong, as it provides a direct link between the port and the industrial areas at Kalurghat and the Halda River, without traffic having to pass through the congested areas of the old town; it also steers through traffic away from the Medical College and from the rapidly developing residential areas at Dampara and Panchlais where existing roads are quite unsuitable for heavy traffic. Once the Tiger Pass road bridge is completed this route will become even more important.

68. From this intermediate ring a spur is proposed westwards along Khulsi Road to Dacca Trunk Road to connect with the Faujdarhat Industrial Estate; linkage is also made with Nasirabad Road which serves the light industrial estate.

69. **Route 6**—This is an outer ring road, roughly parallel to the intermediate ring, but some four miles further out, serving all the principal industrial areas and giving access to the port area *via* a new north-south road at Halishahar.

Strand Relief Road (Route 7)—

70. The eastern end of Strand Road, between Sadarghat Road and Dacca Trunk Lane is extremely congested, as it carries much commercial traffic heading for the port and is restricted in width by a railway siding which serves the riverside godown area. We therefore propose a relief road between Sadarghat Road and Dacca Trunk Lane and its extension westwards to Agrabad and Halishahar, together with a widening of Dacca Trunk Lane to its junction with Quaid-e-Azam Road. This, coupled with a re-alignment of Strand Road Extension west of its junction with Quaid-e-Azam Road, will provide a good road between the port area, the new business area in Quaid-e-Azam Road and the old town. We consider that the construction of the Strand Relief Road should be undertaken immediately, together with the widening of Sadarghat Road which forms the principal link between Strand Road and the business areas of the old town. Eastwards from Sadarghat Road we propose the extension of the Strand Relief Road to the Karnaphuli with a link northwards to Kalurghat Road.

Patenga Road (Route 8)—

71. The southerly continuation of Strand Road Extension, following the west bank of the Karnaphuli, leads to Patenga beach, popular for weekend visits. Suggestions have been made that the section of this road within the area of the Port Trust, as far as the turning to the airport, should be closed to the public and restricted to concerns located along the road.

72. An alternative route to the airport and to Patenga beach will be available with the construction of the new road which leaves Strand Road Extension south of Saltgola and follows a southerly line to the west of the proposed steelworks, wih a spur running eastwards to the airport and to Patenga Road near the proposed fish harbour.

73. At the same time, we strongly recommend that the whole length of Patenga Road following the river should be maintained as a public road and widened where necessary. In spite of the existence of sidings and the coal dump along part of its length, it does provide a pleasant and interesting drive along the river front to Patenga.

Coast Protection Bund Road (Route 9)—

74. Following the catastrophic inundation of Patenga and the coastal strip during the cyclone of October, 1960, the Government has decided to construct a coast bund northwards from Patenga Point, with a protective tree belt on the seaward side: there will be a vehicular road on the top of the bund. This road could be made into a magnificent marine drive with views through the trees to the sea; it should, therefore be linked up with the road proposals in the Master Plan so as to form part of the comprehensive road system. Provision should be made for an eventual carriageway width of not less than 24 ft. for two lance of traffic, with car parking spaces at intervals.

River Bridges—

75. **Kalurghat**—Once Kalurghat railway bridge can be used by motor vehicles, a useful road crossing of the Karnaphuli River will have been established on the Chitagong-Cox's Bazar route. This crossing is, however, approximately six and a half miles upstream from the centre of Chittagong, and would not be convenient for access from Chitagong to the extensive areas on the east bank of the river which have potentialities for future development.

76. **Sadarghat**—Cross river communication opposite Chittagong must, therefore, be greatly improved if the east bank area is ever to be developed. For many years a powered vehicular and passenger ferry would be adequate, but the time might come when the scale of development would justify the cost of building a road bridge over the river at Chittagong. We consider that the best place for such a crossing would be at Sadarghat Ferry, which is just above the river limit for ocean going ships. The immediate widening of Sadarghat Road is imperative, and when this work is carried out the need to safeguard the bridge approaches should be borne in mind.

Other Road Proposals—

77. We do not think it necessary in this Report to specify all the road proposals, but among important schemes not menitoned above we would particularly refer to the need (a), to widen Station Road from its junction with Tiger Pass Road to Sadarghat Road and (b), to improve access to the Chaktai Khal area by constructing two new roads from the inner ring road parallel to the Chaktai Khal.

78. In spite of the traffic relief afforded by the construction of new roads, some widening of busy sections of existing roads in the congested built up areas, which are not defined for comprehensive improvement, will still be necessary; land should be acquired for such widening and for car parks when the opportunity occurs.

79. Within the Regional Plan area, we propose an east-west link between Dacca Trunk Road near Faujdarhat Railway Station and the Kaptai Road just south of the Halda Bridge. In this area there is an absence of east-west roads connecting up the main radials from Chittagong. Further north still, we propose an extension of the existing Rangamati-Hathazari Road westwards to join the Dacca Trunk Road at Kumira.

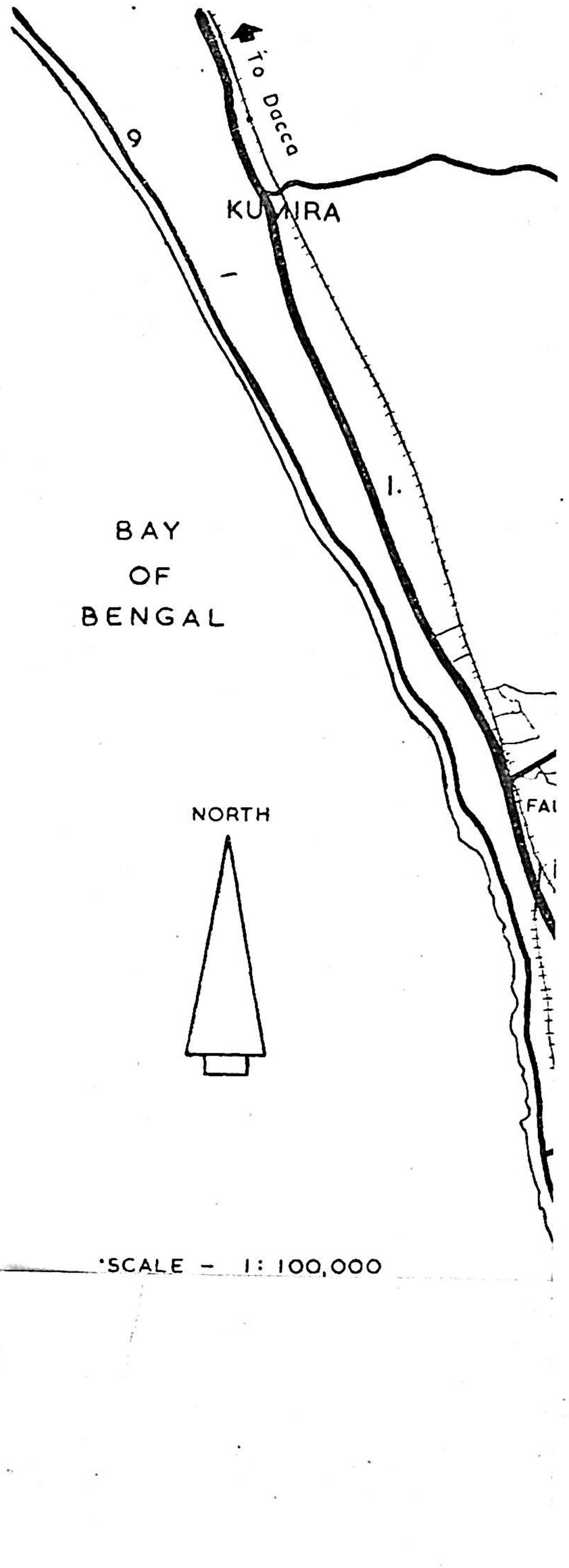
Road Widths—

80. Three principal road widths are proposed in the Master Plan, according to whether the roads are classified as first, second or third category, namely 100/120 ft. between property lines for first class roads, 80/100 ft. for second class and 60/80 ft. for third class. These are average rather than uniform widths; in some places it may be necessary to secure a greater width, and elsewhere rather less. The dimensions are exclusive of any additional land that may be required for car parking, service roads, especially wide pavements or tree-lined boulevards; widths may well vary according to the zone through which the road passes. In town areas we suggest that the most important first and second category roads should have dual carriageways; elsewhere a single carriageway should be sufficient for many years provided that the carriageway width is not less than 24 ft., but land should be reserved now for the full width of the road.

81. The road alignments shown on the Master Plan are to some extent diagrammatic, though regard has been paid to the presence of mosques, temples and graves; the lines are primarily intended as an indication of the route whose exact alignment will depend upon detailed surveys.

Road Junctions—

82. Road junctions are shown diagrammatically, the number within the circle indicating its degree of importance. In practise, design of junctions will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vary according to the volume, character and destination of traffic; each will have to be designed on its merits after a study of traffic conditions. We consider, however, that there is no junction where a flyover would be justified. For most junctions, where sufficient land can be acquired, a roundabout of adequate size is a simple and effective means of traffic control which should be able to cope with the maximum traffic volume likely to be expected in Chittagong in the foreseeable future. In the central area control by traffic lights, which give pedestrians the opportunity to cross when traffic streams are halted, is usually the best solution, unless pedestrian subways are provided.

Access Points to Main Roads—

83. In the interests of traffic safety, individual vehicular access points to principal main roads should be restricted to the minimum as every entrance to a main road is a potential collision point. For new development access points should be at least a quarter of a mile apart, wherever possible.

Cycle Rickshaws—

84. In Chittagong pedal cycle rickshaws are a popular mode of transport, but they are obstructive to motor transport on all except very wide roads. They do, however, fulfil a public need for relatively inexpensive transport and will probably continue in use for many years, though improved bus services and the advent of the motor rickshaw may well reduce their use, especially in the hilly areas. But unlike Dacca, we do not consider that their number is sufficient to justify special tracks.

Bus Transport—

85. As yet bus transport in Chittagong is in its infancy, but is bound to expand. Present services are overcrowded and run by a number of small, independent operators, with antiquated, second-hand vehicles. There is need for an efficient bus system and the introduction of more frequent services with modern vehicles. We understand that the Government proposes to set up a bus organisation in Chittagong similar to that for Dacca and this is to be welcomed.

Bus Station—

86. In the Master Plan we propose a single terminal point on the inner ring road, in front of the proposed new railway station, for all long distance buses; numbers are likely to increase substantially with the improvement of the provincial road system. This would also be a principal stopping place for the majority of local town buses passing through the central area. In addition, terminal points for local bus services are located on the new Faujdarhat Industrial Estate on the Nasirabad Light Industrial Estate, at Kalurghat Bridge, Sadarghat Ferry and at Salt Gola.

Tree Planting—

87. A vigorous policy of tree planting should be undertaken along the new and widened roads. The plentiful sunshine and moist climate make this work more quickly effective in East Pakistan than in a cooler country. Recommended varieties include Cassurina, Bandarlathi, Krishnachura, Mingri, Jam Fruit Plant, Jack Fruit, Nageswar, Cashew-nut and Babul.

AIR TRANSPORT

88. Air transport is vital because of the separation of the East and West Wings, and also because of the time taken by surface transport to reach many towns within East Pakistan.

89. Chittagong Airport is situated at Patenga, some eight miles south of the town and is used by both civil and military aircraft. It is big enough for any foreseeable developments, and when the main runway is extended will be able to handle large jet planes.

90. The location is good. It is well away from densely developed areas and the flight cone, lying roughly north-east and south-west, extends in one direction over the Karnaphuli and in the other over the Bay of Bengal: thus nuisance from noise and the need to sterilise building land are both reduced to a minimum. Some apprehension has, however, been expressed that the selection of a site for the fish harbour on the Karnaphuli, quite near to the flight cone, will attract large numbers of birds to the locality which may be a danger to aircraft. Account will also have to be taken of the proposed 20 ft. high coast protection bund which will cross the south-west flight cone at a point where ground obstructions should not exceed 12 ft. high.

91. The present road to the airport follows Strand Road Extension and Patenga Road. There are occasional hold-ups at the Strand Road Extension level crossing to which reference has already been made in this Report: also, the unloading of coal wagons along Patenga Road slows down traffic. If a wet dock is constructed at the naval base there could be further delays until an alternative route to the airport is opened. We, therefore, propose a new route leaving the present road opposite the National Cotton Mills, south of Salt Gola, and skirting the west side of the area allocated for the steelworks. This road would continue southward to the coast, with a spur running east to give access to the airport terminal buildings, which we understand, are to be rebuilt west of the present site.

Heliport—

92. With the probable development of helicopter services, the need for a separate heliport in Chittagong should be considered. A possible site would be on flat land east of the waterworks and north of Government House.

CHAPTER 4

PUBLIC BUILDINGS

Chittagong as Chief Port of East Pakistan—

93. With the change in status of Chittagong from a relatively small provincial port in Bengal to the chief port of East Pakistan, and its consequential increase in size, there will be a need for additional public buildings.

Central Government—

94. Central Government requirements for administrative accommodation have already been met by the building of a large office block off Quaid-e-Azam Road; and there is room for expansion here to meet future needs. The Pakistan Eastern Railway have magnificently situated administrative offices within their own property, whilst the Port Trust is building new offices off Strand Road Extension near the main port entrance.

East Pakistan Government—

95. The principal Provincial Government Buildings, which tend to be distributed throughout the town rather than grouped in a single centre, comprise.

96. **Government House**—The present Government House is situated on a pleasant low hill in open and attractive surroundings off Quaid-e-Millat Road. It is a good site, reasonably centrally situated, and offers scope for expansion and modernisation of the buildings. We consider that this site should be retained in preference to the selection of a new site elsewhere.

97. **Court Building**—The Court Building and associated buildings, such as the Commissioner's house, occupy magnificent hill sites in the old town and have room for expansion.

98. **Customs House**—A large new Customs building accommodating administrative staff has recently been opened in Strand Road Extension near the main port entrance.

99. **Communication and Buildings Department**—This department has accommodation off College Road with room for expansion.

100. In addition to the buildings referred to above, there are a number of Provincial Government offices scattered about the town which might well eventually be accommodated in the Civic Centre, to which we refer in the next paragraph.

Grouping of Public Buildings: The Civic Centre—

101. As far as possible, it should be the aim of the Master Plan to secure the grouping together of important public buildings and their siting in positions of prominence where they can worthily contribute to the architecture of the town. In Chittagong, however, the opportunity for future grouping is limited, as the public buildings already listed are mostly modern and are situated on individual sites in different parts of the town, with room for expansion. Certain new buildings will, nevertheless, be needed, and we propose that these should be grouped together on the site of the present jail north-east of Laldighi, as it is proposed to move the jail to a new site at Hathazari. The site thus released, has an area of about 17 acres and is conveniently located for buildings requiring close contact with the public. It is on high ground near Court Building and south of the present municipal offices, where there is already a tradition of government and civil use, and is though adjacent to control area shops, is yet sufficiently clear of the densely developed part of the old town for buildings to be displayed to good advantage. The site adjoins a large tank and small municipal park which could be incorporated in the layout. It also abuts onto the inner ring road and access is good; its development would involve a minimum of displacement of existing population.

102. The principal buildings we envisage in the Civic Centre comprise municipal offices (the present building is overcrowded), large and small assembly halls, library and museum, permanent offices of the Chittagong Development Authority, and probably offices of certain government departments now scattered about the town in unsuitable or overcrowded premises.

CHAPTER 5

POPULATION

Present Population—

103. Most of the population of East Pakistan lives in rural areas where the density averages the high figure of about 780 persons per square mile. The country is intensively farmed, mostly in small units; population growth is outstripping the capacity of agriculture to absorb it, and there is a tendency for rural migration to the towns in search of employment. Thus expanding industrial centres, such as Chittagong, have a surplus rural labour supply on which they can readily draw, and only by industrialisation will East Pakistan be able to support its rapidly expanding population and raise its standard of living. Another consequence of the high density of rural population is the considerable displacement of the farming community which arises when land is taken for urban expansion. This is inevitable, and does point to the need for economy of land use and the avoidance of unco-ordinated and piecemeal schemes of development which are wasteful of land.

104. The estimated 1961 population within the area recommended for control by the Chittagong Development Authority is 647,996 persons, which is the projection of the 1951 Census figure to 1961. Of this total, some 370,000 live within the 1:3960 scale plan area of Chittagong and its environs on the west bank of the Karnaphuli River and 277,996 in the surrounding rural area of the 1:20,000 scale Regional Plan, including 127,700 on the east bank of the river.

Projected Population—

105. According to the 1961 Census figures the increase of population in East Pakistan is just under 2 per cent. per annum, the population having risen from 42 million to almost 51 million in the last ten year period. This increase is made up of natural increase, i.e., excess of births over deaths, and immigration: but as the great post-Partition waves of immigration from India took place before 1951 it is fair to assume that the annual increase of 2 per cent. in East Pakistan is almost entirely accounted for by natural increase.

106. In Chittagong the annual increase shown by the 1961 Census figures is between 2 per cent. and 2·25 per cent. A proportion of this is probably accounted for by local immigration, as population from the surrounding rural areas has been attracted to the town by prospects of employment, particularly in industry. This it would appear that natural increase in Chittagong is approximately 2 per cent.

107. For the purpose of estimating total annual population increase in Chittagong we have assumed a natural increase of 2 per cent. per annum, though this could rise as health and sanitary conditions are improved, unless family planning comes to be widely accepted. In addition, there may well be local immigration as opportunities for employment expand. Taking all factors into account, we have adopted a total annual increase of 2·25 per cent. for Chittagong. On this basis, the population of the Chittagong Development Authority area should increase in 20 years from 647,996 to 1,011,521, including an increase for Chittagong and its environs from 370,000 to 577,570. These figures are set out below.

108. We have not attempted to calculate the population increase beyond the 20 year period, but it will probably continue at or about the same rate.

Estimated Population Increase, 1961-1981

Locality.	Population 1961.	Population 1981.	Increase.
Chittagong and environs, comprising area of 1:3960 scale plan excluding east bank of Karnafuli.	370,000	577,570	207,570
Remainder of Development Authority area, excluding east bank of Karnafuli.	150,296	234,612	84,316
East bank of Karnafuli	127,700	199,339	71,639
Total for Development Authority Area ..	647,996	1,011,521	363,525

CHAPTER 6

HOUSING

General Conditions—

109. Much of the older residential quarter of Chittagong, particularly in the area of Feringhee Bazar and Alkaran comprises congested and overcrowded two storey brick houses, intermixed with kutcha dwellings, often approached by narrow unpaved roads. Water supply is by roadside standpipes. Nightsoil is collected daily, otherwise drainage is mostly to open ditches, though a number of larger houses have cesspools or septic tanks. There are few open spaces, such as children's playgrounds, and often workshop premises and small industries are scattered haphazard in the housing areas. Clearance and redevelopment of overcrowded areas, the rehousing of the residents displaced at improved standards and the broad separation of commercial and residential uses are the prime needs in the older parts of the town.

110. Chittagong is, however, fortunate in having so much hilly and often well timbered open land penetrating into the heart of the town. This gives a sense of greenness and variety of landscape, and has the effect of breaking up much of the older housing into relatively small units, the nearby hills providing easily accessible green lungs for the residents.

111. Spreading out from the old town in a northerly and north-westerly direction is an extensive area of low density residential development, mostly bungalows, which occupy the hilltop sites, whilst estates of more compact houses are being developed on the flat land in Dampara and Panchlais: displaced persons colonies have built at Sher Shar and Feroz Shah. Much of the land adjoining the Dacca railway line is occupied by railway housing, which extends northwards up to Khulsi Road, whilst the Port Trust has developed residential quarters off Strand Road Extension. Central Government quarters, in the form of three storey flats, have been built at Agrabad, and elsewhere several industrialists have provided residential accommodation for some of their employees.

112. Whilst government and various private concerns undertake responsibility for providing housing accommodation for, at any rate, part of their employees (the railway and the port are probably the most notable examples), no agency exists to cater for the general needs of the lowest income groups of the urban population who do not come within these categories. These people can, in the main, only afford to live in squalid, overcrowded areas, and without some form of government aid in house building, it is unlikely that any serious improvement in general conditions will be brought about. In the circumstances, we suggest that the activities of the Housing and Settlement Section of the Works Department, which is now building extensively for displaced persons, should be extended, as soon as possible, to building low cost houses for the general needs of the lower income groups.

113. In Chittagong there is also a shortage of houses for the middle income groups. Development to meet these needs is slow, partly, at any rate, because of the difficulty which private organisations experience in negotiating for suitable land for laying out as a building estate, as it is often in numerous different ownerships. In the circumstances, we consider that it is highly desirable for some authority, which can act rapidly and possesses powers of compulsory acquisition, to acquire land for estate development in different parts of Chittagong, prepare comprehensive layouts, construct the roads and then dispose of individual plots for house building. We suggest that this is a responsibility that should be undertaken by the Chittagong Development Authority.

Population Requiring New Housing—

114. To provide for the anticipated expansion of Chittagong and its environs, and to improve present housing conditions, large new areas will be required for residential development. These should be sufficient to meet the following housing needs:

(a) Population displaced by clearance and redevelopment schemes at densities of 150 and 200 persons per acre, and other essential planning proposals in the old town, including the conversion of areas from residential to non-residential use, 57,600 persons. We have assumed that in the conversion of residential areas to business use some population will remain and have assessed this at 50 persons per acre gross. We have also assumed that 60 per cent. of the total of 57,600 persons will be displaced in the next 20 years ...	34,600
(b) Population living in overcrowded conditions outside the central area of the old town and persons who will be displaced by planning proposals within the next 20 years. This includes 28,400 displaced by the development of the four major industrial areas: the balance	

of 8,000 is an assumed figure to cover general overcrowding, as it has not been possible to calculate the numbers involved 36,400

(c) Natural increase and immigration. This figure is for Chittagong and its environs, i.e., the 1:3960 scale plan area, excluding the east bank of the Karnaphuli River, together with areas north of the 1:3960 scale plan scheduled for development, and is calculated at 2·25 per cent. per annum for the next 20 years ... 216,600

Total ... 287,600

115. Thus we arrive at a possible figure of 287,600 persons needing new housing during the next 20 years in Chittagong and its environs.

Residential Densities—

116. The number of people who will be displaced by clearance and redevelopment schemes in the old town, and the number who can be accommodated in the areas available for new development, will depend upon the densities adopted.

Over most of the areas of concentrated development densities vary between 100 and 330 persons per acre; for all practical purposes these are net figures, as there are virtually no open spaces or wide roads. In redevelopment schemes it will be necessary to provide open spaces, sites for schools with playgrounds, and possibly for other local public buildings. Thus the population that can be rehoused on any particular area will be considerably reduced, even if quite high gross densities are adopted. We recommend gross densities of from 150 to 200 persons per acre for central area redevelopment; allowing for a 40 per cent. reduction of the area available for actual housing in each neighbourhood unit for roads, schools and open spaces, we get a maximum net density of 334 persons per acre. At the higher density, assuming 6 persons per residential unit, and a floor space area per unit of 600 feet super, it would be possible to redevelop wholly in blocks of flats not exceeding three storeys high.

117. We recognise that for many people who are accustomed to live in little houses this will mean a radical change. We believe, however, that life in three storey blocks of flats, with the advantage of open spaces and schools with playgrounds, and residence near to place of work, is preferable to living in closely packed overcrowded houses, without these amenities. The alternative is redevelopment in the form of houses; this would result in much lower densities, and the displacement of a high proportion of a population whose livelihood is, to an appreciable extent, centred on the old town.

118. In the new residential zones, except for the hilltop areas subsequently referred to, we suggest a gross maximum density of 75 persons per acre, with half the available land allocated to main roads, schools, open spaces, public buildings and shops. This gives a net density of 150 persons per acre. It would be possible to develop large areas at this density in the form of terraces of single storey and two storey houses, or blocks of flats. Bearing in mind that the greatest need is the provision of inexpensive accommodation for persons of limited means, we suggest that up to 80 per cent. of the housing land, except in the hill areas, should be allocated to development at an average of 130 persons per acre net, and 20 per cent. to development at an average of 30 persons per acre. Within this average we consider that a maximum of, say, 300 persons per acre could well be adopted for a limited number of tall blocks of flats on specially selected sites enjoying spacious surroundings.

Neighbourhood Units—

119. The principles and advantages of development in the form of neighbourhood units of convenient size, usually between 5,000 and 10,000 persons, free from disturbance by through traffic roads, are now well enough known not to require detailed descriptions here. For each neighbourhood unit a comprehensive layout is prepared, in which sites are provided for all the necessary ancillary services, such as schools, open spaces, neighbourhood shops and other subsidiary public buildings.

120. In a neighbourhood unit accommodating 7,500 persons, 50 acres would be allowed for ancillary services, which might be made up as follows:—

2 Primary Schools at 3 acres each	6 acres.
1 Secondary School at 10 acres	10 acres.
2 Neighbourhood playing fields at 5 acres each ..	10 acres.
1 Neighbourhood park, and small open spaces .	10 acres.
Principal roads..	8 acres.
Shops, car parks, mosques and other public buildings ..	6 acres.
Total ..	50 acres.

Estimate and situation of land available for new housing and the population which it will accommodate

A	B	C		D		E	F	G
Areas proposed for devlopment and No. on key plan 3.	Gross Acreage.	Develop 80 per cent. of area at 70 persons per acre gross (equivalent to 130 persons per acre net).		Develop 20 per cent. of area at 25 per persons per acre gross (equivalent to 30 persons per acre net).		Total population which can be accommadated (C *plus* D).	Existing, 1961 poputation.	Additional population which can be accommodated (E *minus* F).
		Acreage.	Population.	Acreage.	Population.			
(1) Faujdarhat (north of 1:3960 scale plan boundary)	248	198	13,860	50	1,250	15,110	1,850	13,260
(2) East side of Hathazari Road (part is north of 1:3960 scale plan boundary)	1,906	1,525	106,750	381	9,525	116,275	14,000	102,275
(3) Halda Bridge (north of 1:3960 scale plan boundary)	548	438	30,960	110	2,750	33,710	7,160	26,550
(4) Proposed railway housing area, north of Khulsi Road *	535	..	..	..	..	25,856	400 (assumed)	25,456
(5) Part of Nasirabad hill area (after cutting of hills)	288	230	16,100	58	1,450	17,550	600 (assumed)	16,950
(6) East of Chauk Bazar	2,194	1,755	122,850	439	10,975	133,825	50,400	83,425
(7) Halishahar	3,214	2,571	179,970	643	16,075	196,045	35,000	161,045
(8) West of Double Moorings	930	744	52,080	186	4,650	56,730	25,700	31,030
(9) Patenga	1,214	971	67,970	243	6,075	74,045	1,850	72,195
Small scattered areas, say	100	..	..	..	..	..	..	8,000
Total	11,177	8,432	590,540	2,110	52,750	669,146	136,960	540,186

*Of this total approximately 348 acres are suitable for high density development, accommodating 24,360 persons at 70 persons per acre gross. The balance of 187 acres is hill land for which a density of 8 persons per acre gross has been taken, giving 1,496 persons, and a total population of 25,856.

121. The residential area required for 7,500 persons would vary between 50 acres for a gross density of 75 persons per acre and 250 acres for a gross density of 25 persons per acre. On a basis of 6 persons per dwelling this is equivalent to 25 dwellings and 5 dwellings per acre respectively.

Estimate and Situation of Land available for New Housing and the Population which it will accommodate—

122. The areas proposed for development within the area of the 1:3960 scale Master Plan and small areas to the north, excluding the east bank of the Karnaphuli, their acreage, and the additional population they will accommodate, are set out in the following schedule. A deduction has been made for major open spaces show diagrammatically on the 1:3960 scale plan.

123. These figures show that there are about 11,177 gross acres available for development which will accommodate an additional 540,186 persons at the densities proposed. Against this, about 287,600 additional persons will require new housing during the next 20 years, needing about 6,042 gross acres of land. The amount of land zoned for housing is, therefore, well in excess of likely requirements.

124. Broadly speaking, there are nine main areas suitable for residential development, namely, at Faujdarhat, east of Hathazari Road, west of Halda Bridge, north of Khulsi Road, Nasirabad Hills (after cutting), east of Chauk Bazar, at Halishahar, west of Double Moorings, and at Patenga.

Ancillary Development in Residential Zones—

125. We should like to emphasise that limited amounts of non-residential development, such as service industry or cottage industry, may be quite appropriate in some residential zones, particularly in low-cost housing schemes, where it is desirable to encourage the provision of employment near the place of residence. It is, however, essential that the layouts should provide for this to be grouped into one or more compact areas and not be scattered indiscriminately throughout the residential zones.

Bamboo and Brick Housing—

126. Many of the houses in Chittagong are built of bamboo. This is an inexpensive form of construction, which is quickly and easily erected by relatively unskilled labour, makes use of indigenous, materials, and has a life of about ten years. The present drawback of these bamboo houses is that they are crowded together in unplanned settlements and without public services; as a consequence they soon become insanitary and a nuisance. We consider, however, that this form of construction could be adopted in certain cases as an economy, with proper safeguards. We suggest that as an experiment the housing authority should layout the estate, provide roads and public services and construct the concrete bases for the houses; properly spaced after this, individual plots would be let to owners to put up their own bamboo dwellings. It must be appreciated, however, that this type of house has disadvantages. It is easily blown down and is a quick casualty in cyclones: the fire risk is high, and it tends to harbour dirt and spread disease. The alternative is to use bricks which are locally and cheaply produced in East Pakistan.

Chittagong Hill Areas: Development and Preservation—

127. As mentioned earlier in this Report, one of the most pleasant features of Chittagong are the verdant hills, often covered with trees, which penetrate into the heart of the town. Sites on these hills are greatly sought after for residences, and the tops of many have been flattened and large bungalows erected on them.

128. In other cases the hills have been extensively cut into and the material (sandy clay) used for fill to raise low lying land to a suitable height for building on: it is usually necessary to raise the land by between 2 ft. and 6 ft. to being it above flood level. This cutting of hills has sometimes resulted in extensive erosion of the steep slopes by the monsoon rains, endangering the stability of nearby residences and choking the open water courses at the foot of the hills with silt. In some cases, too, hills have been severely scarred, with consequent prejudice to amenity.

129. These hills are, however, the only nearby source of material for raising the level of the extensive areas of flat land which it will be necessary to develop as Chittagong expands, though it may be possible to use silt dredged from the Karnaphuli River to raise and reclaim land near the river. The only alternative would be raising the level by excavation of tanks. This is, as a general practice uneconomic, as it reduces the amount of land available to build

on and often results in the formation of large, stagnant water areas which become the breeding ground of mosquitos and liable to pollution by sewage.

130. To prohibit cutting the hills everywhere would, therefore, be impracticable and against the best interests of Chittagong. What is required is an orderly allocation of the hill areas as between:

(a) Amenity open spaces where no development or working of sand should be allowed.

(b) Low density, high amenity residential development, involving a minimum of cutting or levelling of hills.

(c) High density development on sites flattened after hills have been worked for fill.

131. On the 1:3960 scale plan these proposed allocations are indicated. Approximate calculations we have made suggest that the complete levelling of the hill areas scheduled for cutting would provide only 25 per cent. of the fill needed to raise all land zonend for development on the west bank above monsoon flood level. We must, therefore, emphasise the need for stringent control over development in the hill areas, particularly in respect of areas scheduled for cutting and levelling before building can take place. If premature development is allowed it will result in the sterilisation against cutting of those hills which should constitute the future source of fill for raising the low lying areas. Timing will be the vital element, and development will have to be firmly resisted until the hills have first been cut and levelled.

132. The principal areas scheduled for cutting comprise Nasirabad hills and two smaller areas to the south-west adjoining the Police Lines and Khulsi Road. When these have been worked it will be necessary to go further afield and we suggest that hills north and west of the Military Cantonment should be selected.

Control of Development in Agricultural Areas—

133. Outside the area of the 1:3960 scale plan much of the land north of Chittagong has been zoned for agriculture and forestry: it is intended that these areas should be subject to planning control. Sites in the agricultural zone should not be released for general development until such time as more land is required for the orderly expansion of the built up areas: and as sufficient land has been zoned for development to meet up future needs for more than 20 years, this should not be necessary for some time, except round Hathazari and Kumira, which are both independent, developing centres. If such a policy is not followed, sporadic development is likely to take place in the agricultural areas and give rise, in due course, to many of the same planning problems that exist in the built up areas today, due to the lack of planning control in the past.

Displacement of Rural Population—

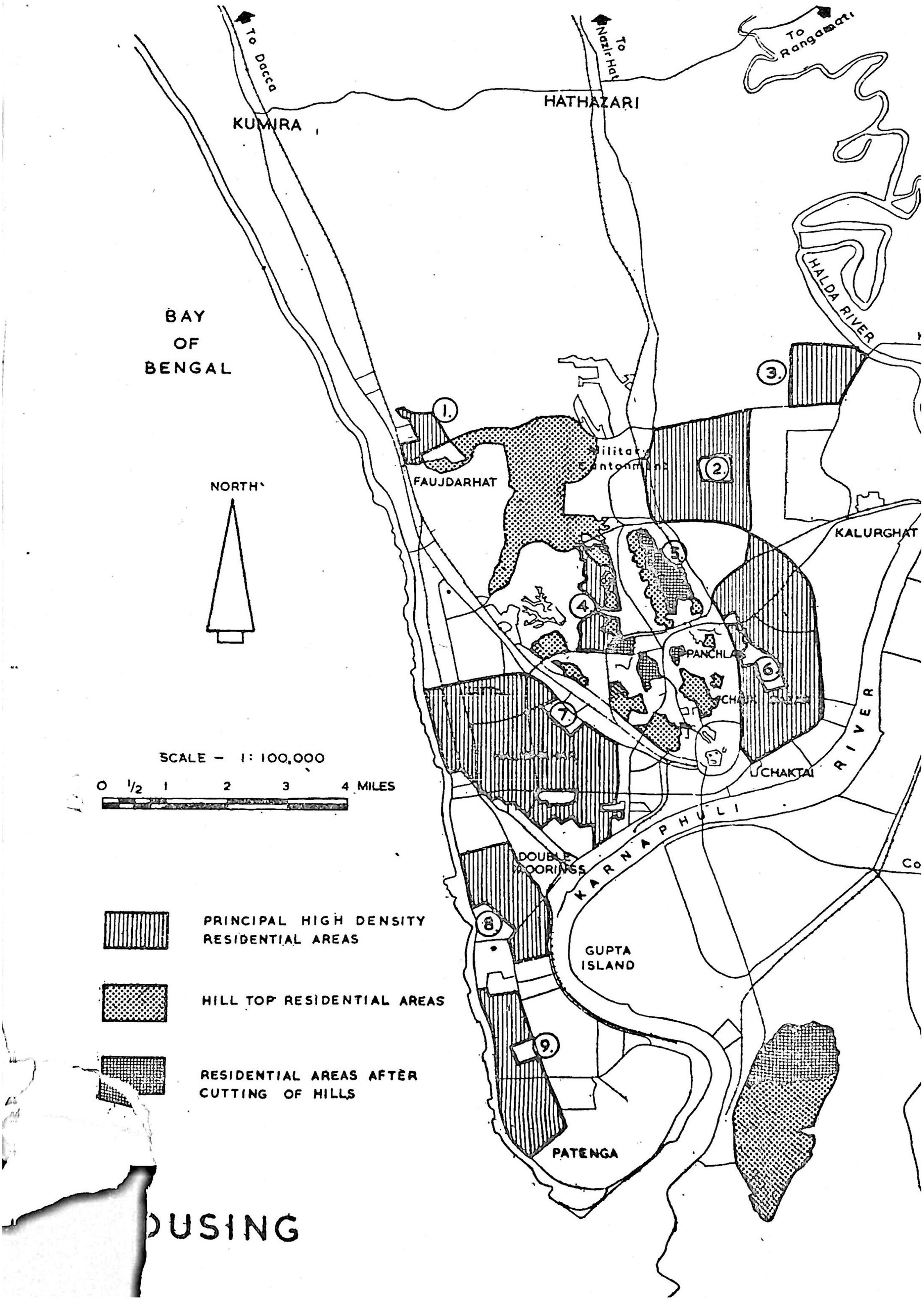
134. Some of the areas proposed for residential development are already fairly thickly populated by an agricultural community, mainly living in kutcha houses. As farm land is taken for urban housing and other needs the farming community will lose its present livelihood. Displacement of the rural population on the town fringe is inevitable as Chittagong expands; and provision will have to be made for the orderly rehabilitation of so much of this rural population as wishes to remain. If the aleternative policy is adopted of only selecting for development those areas that are relatively free from rural settlements, a most haphazard and sprawling pattern of urban expansion will result.

CHAPTER 7

EDUCATION

Education Proposals—

135. On the Master Plan only the most important existing educational sites have been shown, and these are included in the education and institution zone. Sites for the principal new educational buildings are shown diagramatically on the 1:3960 scale plan, as it is not possible at this stage to determine their precise boundaries. It is, however, important that they should be accurately defined by the planning and education authorities as soon as possible.


To Dacca
To Nazir Hat
To Rangamati
KUMIRA
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HALDA RIVER
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OF
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PRINCIPAL HIGH DENSITY
RESIDENTIAL AREAS
HILL TOP RESIDENTIAL AREAS
RESIDENTIAL AREAS AFTER
CUTTING OF HILLS

USING

136. Much of the present school accommodation is inadequate according to modern standards, and the schools lack playgrounds or playing fields. Whilst the objective must be to provide every child with primary and secondary schooling in modern buildings, with adequate open space for games adjacent to the school, such ideal provision will not be possible in the congested parts of the town. Here, open space areas may well have to be limited, and the balance, in the form of playing fields, provided on the fringe of the town. Action now to reserve land for schools is vital, if the needs of education are to be met. The main factor deciding the location of schools is that they should be within safe and reasonable walking distance of the residential areas which they serve.

137. In the areas scheduled for residential development and in central areas where redevelopment is undertaken, the precise siting of schools, playgrounds and playing fields will depend upon the preparation of detailed plans. The sites chosen must be incorporated in the layouts as they are prepared, and agreed with the appropriate authority. Below we set out the planning principals which we consider should be taken into account in selecting sites for schools, though these may require modification to suit local conditions. They have been discussed and agreed with the Education Directorate, Dacca.

Nursery Schools—

138. Nursery schools should be provided for children between the ages of two and five years. We suggest one nursery school to every 1,500 population: sites should be half an acre each, situated within the residential areas, so that no child has to walk more than a third of a mile, or across a major traffic route.

Primary Schools—

139. To provide educational facilities for children between the ages of five and eleven years, primary schools should be established on the basis of one school for boys and one for girls for every 7,500 population. The site for each school, including playing fields and hard surfaced playgrounds, should have a minimum area of 3 acres.

140. These schools should be so sited in the neighbourhoods that they are within one third to half a mile walking distance of the boundary of the neighbourhood served. By careful planning of the neighbourhood road system it should be possible for children to reach these schools without crossing a main traffic road.

Secondary Schools—

141. To provide educational facilities for children between the ages of eleven and fifteen years, secondary schools should be provided on the basis of one school for boys and one for girls for every 15,000 population. Sites allocated for each school, which should be big enough to include playing fields, should each have a minimum area of 10 acres. Schools should be within three quarters to one mile of the areas served.

142. Secondary schools should generally be sited between the residential neighbourhoods, and wherever possible, adjacent to other open spaces, in order that they may, with their own land, form open space buffers between housing areas.

General Colleges—

143. One General College, with a site area of 14 acres, will be needed for each 50,000 persons. On the basis of an estimated 1981 population of 577,570 within the 1:3960 scale plan area, excluding the east bank of the Karnaphuli, 11 Colleges will be needed. There are two existing colleges which count towards this total, namely, Chittagong College and the Chittagong Night School, though a new site is required for the latter, which at present occupies a requisitioned building. 10 new sites have, therefore, been shown on the 1:3960 scale plan, more or less evenly distributed throughout the area: this total includes the Women' College at Khulsi Road, whose construction has already started.

Technical and Vocational Institutions—

144. One technical and vocational institution, with a site area of 7 acres, will be needed for each 75,000 persons, giving a total of 7 within the 1:3960 scale plan area. The existing Technical Section of the Collegiate School in Ice Factory Road counts towards this total. 6 new sites are, therefore, indicated diagrammatically on the 1:3960 scale plan, though the sites of the Polytechnic Institute and the adjacent Vocational Teachers Training Institute have already been selected. The sites are mostly in or near residential areas and, in some cases, near industrial areas from which the students will be drawn.

Special Institutions—

145. Sites for the following special institutions have been shown diagrammatically on the 1:3960 scale plan:

Public Library—5 acres; to be incorporated in the Civic Centre at Laldighi.

School for Music and Drama—4 acres, facing the riverside town park.

Photographic and Film Studio—5 acres, east of Hathazari Road.

Adult Education Centre—5 acres, west of Quaid-e-Azam Road.

Primary Teachers Training Institute—5 acres, in educational zone east of the Sirajudaula Road by-pass.

Orphanage—12 acres at Faujdarhat, near coast.

School for Physically Handicapped Children—5 acres at Faujdarhat, near coast.

School for Mentally Defective Children—5 acres at Faujdarhat, near coast.

Blind School—5 acres west of Alpine Park, near Khulsi Road.

Education and Institution Zone—

146. An area of approximately 106 acres, east of the Sirajudaula Road by-pass, has been zoned for educational and institutional purposes. This is much in excess of present requirements, but we have in mind the possible siting in it of educational and institutional buildings which cannot yet be foreseen: it would also meet the playing field requirements of a number of existing schools which lack these facilities.

CHAPTER 8

OPEN SPACES

Present Position—

147. In the central area of Chittagong, where population density is highest, there is an almost total absence of public open space, whether parks, playing fields or small amenity areas. Laldighi, south of the Municipal Offices, has a garden round the tank; adjoining Niaz Stadium there are tennis courts, and at the foot of Court Hill is a small park, of which part was once the Ladies Park. Of private recreation grounds and playing fields, there are several in the Railway Cantonment, and one each within the Police Lines and the Port Cantonment. A few of the colleges and schools have playing fields, and north of Quaid-e-Millat Road is a private golf course with other recreational facilities.

148. In terms of figures, there are approximately 88 acres of parks and public and private playing fields, including school playing fields within the Municipality. This is a ratio of only 0·54 acres per 1,000 persons. This is a serious deficiency which the authorities must overcome now by the reservation of suitable sites, particularly for playing fields and for small amenity parks for children. Nowadays it is generally accepted that the provision of adequate open space is of fundamental importance to health and happiness, and is a need that must be met; it is not a luxury, to be provided haphazardly by setting aside for open space a few odd pieces of land for which no other convenient use can be found.

149. Statistically, the open space deficiency is serious, but in practice the position is not quite so bad as the figures would suggest. Extensive hill areas penetrate into the town, splitting up the residential zones and functioning as green lungs for the nearby population, which enjoys, at any rate, limited access to them. In addition, there are numerous small open spaces round many of the tanks; up till now these have survived the pressure for building, but they cannot be taken for granted indefinitely. Also contributing to the general sense of openness is the fact that a number of important public buildings, such as Court Building, are set on hills with the slopes below free of building, as they are too steep. Chittagong can boast of no area to compare with Ramna Park at Dacca; but, nevertheless, the wonderful park like surroundings of the Railway Offices, where the public roam and enjoy the amenities and shade of the huge trees, are a unique feature of which the railway authority has every right to be proud. The town, does, in fact, give the impression of residential development set between open spaces: and when seen from such prominent view points as Court Hill and Battali Hill, the view is almost entirely of trees, penetrated by a few tall buildings.

Open Space Standards—

150. In Britain the standard recommended for playing fields by the National Playing Fields Association is 6 acres per 1,000 population, made up of 4 acres of public and 2 acres of private playing fields; in addition, 1 acre per 1,000 persons is recommended for parks and 3 acres for school playing fields, giving a total of 10 acres of open space per 1,000 population. Whilst this standard is being achieved by many towns in Great Britain, the Country of London, for

example which has an acute shortage of open space in the central areas, is aiming at a total figure no higher than 2·5 acres per 1,000 population. The published plan for Singapore, a city of extremely high population density, which is short of building land, proposes a standard not exceeding 2·5 acres per 1,000. On the other hand, Karachi is aiming at 4 acres per 1,000 population.

151. It will not be practicable to apply the British standard of 10 acres per 1,000 population to Chittagong. It would be regrettable, however, to achieve higher population densities by severely reducing open spaces, because, once lost, they can never be recovered. In large new developments we propose a total public open space provision of 4 acres per 1,000 persons. Of this, 2 acres would be in the form of parks, and 2 acres would comprise neighbourhood open spaces, mostly for playing fields, which should be incorporated in the neighbourhood layouts when these are prepared.

Open Space Proposals—

152. The following are the principal open spaces shown on the 1:3960 scale plan; they are numbered on key plan 5:—

153. **(1) Central Area**—The basic conception of the open space proposals for the central area is the preservation of the fine hills which form a magnificent setting for important government buildings crowning them, together with adjacent flat land suitable for playing games. These areas, of some 52 acres, should be linked up to provide for a continuous parkway system from Court Hill northwards to the extended open space round Government House and Nias Stadium. Part of this open space, between Commissioners' Hill and the Municipal Offices, could be used as an Idgah for the big nearby Khas Mahal Mosque. The open space system also incorporates a number of streams and small valleys as well as two very fine tanks, one east of Commissioners' Hill, and the other known as Ashkar Dighi adjoining Quaid-e-Millat Road.

154. Whilst most of this area is already open, the proposals will entail the removal of several smallish, inferior public buildings, the clearance of Islamabad Market (for which we are suggesting a new site), and also the roadside shops along the south-west side of Loyal Road: the latter could be resited in the same locality as the new Islamabad Market. Clearance of part of the area west of Khas Mahal Mosque for use as an Idgah, playing fields and small park, will be necessary, as well as the area between the inner ring road and Ashkar Dighi, in order to link up the latter with the park system inside the inner ring road: both areas are mainly occupied by Kutcha dwellings and, because of their comparative flatness, are suitable for the provision of children's parks and the formation of walkways along the little valleys.

155. **(2) Government House and Nias Stadium**—West of Jubilee Road are the two very important open spaces surrounding Nias Stadium and Government House. We propose their extension by the clearance of the water works site, when the works become redundant, and the removal of the comparatively few buildings north of Government House: round the stadium an extension of the open area is proposed on the west and south: total area is approximately 84 acres.

156. In many ways the open land surrounding these two sites constitutes the finest park-like setting for any public buildings in Chittagong: their judicious extension and landscaping will greatly enhance this setting and provide the public with a most pleasant and much needed park.

157. **(3) Station Square**—In front of the proposed new Chittagong Railway Station we propose an open area of approximately 8 acres, within the triangle formed by the inner ring road, Sadarghat Road and Station Road. This will provide a fine setting for the new station. We envisage that part will be formally treated with paved surface and part will be the site of the central bus station.

158. **(4) Riverside Town Park**—At the moment there is a complete absence of any riverside public open space in Chittagong. Such open spaces are a notable and attractive feature of many towns in this Sub-continent. There is an excellent site for a riverside park immediately east of Sadarghat Road, bounded on the north by the proposed eastward extension of the Strand Relief Road, with a frontage to the river of some 2,900 ft., and an area of approximately 36 acres; this includes land suitable for reclamation from the river after construction of the training wall. Opposite this open space the deep water channel swings across to the other river bank. The site occupies a most accessible position near the heart of the old town. The western end nearest Sadarghat is occupied by a number of old-established bungalows for port officials, port stores and old offices. A number of fine trees already gives to this area a park-like character and makes it eminently suitable for a river front open space. We suggest that, when the western section of the park comes to be laid out, the port bungalows should be resited on open land west of Quaid-e-Azam Road: it is the intention of the port authority to move the stores to new premises further down the river. The old offices will require to be demolished, but a number of these would, in any case, have to go in connection with the widening of Sadarghat Road. Part of the eastern side of this proposed open space is used for open timber storage and there is also a modern rice mill.

159. **(5) Railway Tank at Rear of Salehuddin Institute**—This is a most attractive tank: we propose that a strip of open space of some 8 acres should be maintained round it and up to Quaid-e-Azam Road. Existing buildings should be demolished and the area planted with trees for shade.

160. **(6) Agrabad**—Just west of Quaid-e-Azam Road and immediately south of the Central Government employee flats we propose an area of approximately 29 acres for a small partk and playing fields to serve existing and proposed development in this locality.

161. **(7) Camping and Recreation Area west of New Moorings**—An area of about 235 acres is reserved for camping and recreation west of New Moorings, up to the coast protection bund. We envisage that this would include playing fields, amusement park, hostel with amenity park, camping site, restaurant, shops and cinema.

162. **(8) Race course**—Chittagong has no race course. At Dacca pony racing is a popular attraction and in time there may well be a demand for similar facilities at Chittagong. Accordingly, we propose a reservation of 160 acres for a race course immediately north of the camping and recreation area.

163. **(9) Exhibition Park, Halishahar**—In Chittagong there is need for an open space where important exhibitions can be held: nowadays such exhibitions are a feature of many progressive towns. An accessible site is required, yet one which is sufficiently away from the central area to be able to accommodate crowds without causing undue congestion. We propose the reservation of a site of some 62 acres on the south side of the road to Halishahar and extending back to the Kattali Khal, which could be made into a landscaped feature.

164. **(10) Halishahar Regional Park**—At Halishahar a layout for a large area of some 3,000 acres is being prepared, which will include a regional park of 60 acres. This has been shown on the 1:3960 scale plan by a symbol, as its exact location and boundaries will be fixed by the layout.

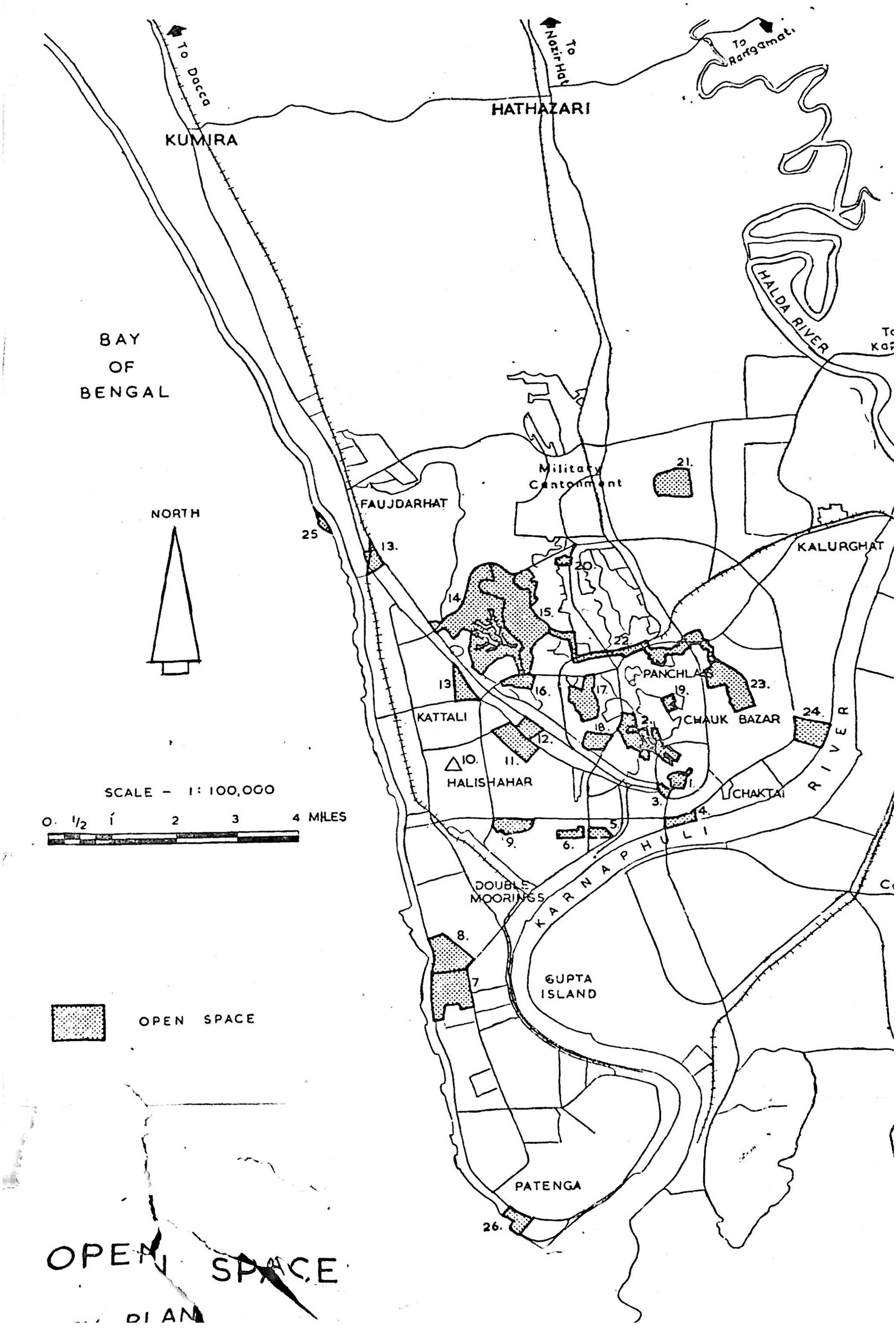
165. **(11) Stadium and Central Idgah at Pahartali**—Niaz Stadium, near Government House, is too small for holding either national or international sporting events, and eventually a bigger stadium will be necessary: for this a site of about 80 acres, which has good road access, is reserved off Dacca Trunk Road at Pahartali. This should be large enough to take pitches for soccer and hockey, and also an international size running track. If, in addition, a cricket table is to be provided, a large ground still will be required and the stands designed accordingly. Possibly the best arrangement would be for the Niaz Stadium eventually to be reserved for cricket and the new stadium to be used for football and atheletics. We envisage that the new stadium would adjoin open land, part of which would be used for local playing fields and part for the Central Idgah, including a paved area.

166. **(12) Railway Tank, Pahartali**—Opposite the new stadium site is a large railway tank round which we suggest an open space should be maintained and landscaped to provide a small park: its area is about 13 acres.

167. **(13) Faujdarhat Industrial Estate**—Two principal open spaces, totalling 106 acres, are proposed, on and adjoining the Faujdarhat Industrial Estate. The northernmost will act as a buffer between industry and the education and institution zone, whilst the southern area will serve both the estate and the residential area to the south.

168. **(14) Foy's Lakes Regional Park**—The hilly and scenically beautiful Foy's Lake area, much of which is owned by the Pakistan Eastern Railway, would make a magnificent regional park for the enjoyment of the citizens of Chittagong: it is only three and a half miles from the centre of the town. From this lake, the railway draws its present water supply: and so long as it is dependent upon this source it will be necessary to exclude public access, except by special permit. We assume that eventually the railway authority will change over to the public supply, of which the first section of a comprehensive water scheme is soon to be started. When this happens we propose that the whole area, totalling some 740 acres, should be thrown open to the public, though strict control, to preserve the amenity of the area, will have to be exercised.

169. **(15) Botanical and Zoological Gardens**—Adjoining and immediately east of Foy's Lake regional park we propose an area of 395 acres for development as botanical and zoological gardens. Topographically this is similar to the Foy's Lake area, and comprises a series of steep sided valleys and hill ridges, rising to an elevation of over 200 ft., clothed with mixed trees, high grass and undergrowth, though access on the south can be obtained from Khulsi Road, and on the north from the outer ring road, the construction of several tracks to open up the area will be necessary. On the east of this open space we propose a parkway strip across the proposed railway residential area to connect with the Chaktai Khal parkway. We understand that about 170 acres of this suggested botanical and zoological gardens have already been acquired by the Forestry Department, who would be responsible for carrying out the project.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ne for carrying out the project.

170. **(16) Khulsi Road**—Immediately south of Khulsi Road, and opposite the southern end of the botanical and zoological gardens, we propose in open space of 24 acres which will act as a green lung for the nearby large residential areas of the railway authority. It is an attractive area of gentle, grass-covered hills contrasting with the wilder scenery of the Foy's Lake Regional Park.

171. **(17) Alpine Park, Khulsi Road**—South of Khulsi Road and east of the Dohazari branch railway line is an area of small, precipitous hills, to which we have given the rather high sounding title of "Alpine" Park. Nevertheless, this area of about 117 acres possesses the dramatic qualities of a mountain landscape in miniature, has fine views, and is, we consider, well worthy of conservation.

172. **(18) Battali Hill**—Battali Hill, which rises to a height of about 230 ft., is one of the best known view poihts in Chittagong, and is held in rather special affection by its citizens, in spite of the mutilation of the south-west face by sand-working. Any further cutting of this hill should be stopped: and the proposed water storage reservoir should be kept away from it summit. We propose the reservation here of and open space of 45 acres, extending eastwards from Battali Hill up to the gorge through which runs Tiger Pass Road.

173. **(19) View point, Chatteswari Road**—We propose the preservation as an open space of the view point and immediately surrounding land on the south side of Chatteswari Road, amounting to 12 acres. This is the last remaining view point not occupied by bungalows in this part of Chittagong.

174. **(20) Bazid Bostami Shrine, Nasirabad**—This shrine is a notable centre of pilgrimage. Unfortunately, the development of industry nearby has tended to destroy the pleasantness and dignity of its setting. We propose the maintenance of a small open protective area round the hill on which stand the shrine and associated buildings. No buildings should be allowed between the road and the tank.

175. **(21) Regional Park, east of Hathazari Road**—A large area east of the Hathhazari Road, extending up to and above the northern boundary of the 1:3960 scale plan, is zoned for high density residential development: to serve this part of the town we propose a regional park of 164 acres.

176. **(22) Parkway along Chaktai Khal**—A parkway strip of varying width is proposed running eastwards and south-eastwards from the Botanical and Zoological Gardens through Sholashahar and Panchlais to the proposed regional park east of Chauk Bazar. This provides a continuous walk way of about three and a half miles. For most of the route it follows the line of the Chaktai Khal, and also includes the municipal night soil area which it is intended should be converted into a public park when the new site near the sewage treatment works comes into use: total area is about 122 acres.

177. **(23) Regional Park, east of Chauk Bazar**—To serve the eastern part of the town, including the very extensive residential area east of Chauk Bazar, a regional park of 180 acres is proposed.

178. **(24) Park near Kalurghat Heavy Industrial Area**—A park of approximately 100 acres is proposed, fronting on to the river, south of the Kalurghat heavy industrial area, to serve the adjoining residential zone. Most of this would be on reclaimed land.

179. **(25-26) Seaside Recreational Centres**—One of the advantages of Chittagong is its proximity to the sea, the coastline of the Bay of Bengal being only six miles west of the centre of the town. A late afternoon or an evening visit to the beach for a blow of fresh air is a welcome change after a day's work in town. There are two beaches with public access, one opposite the Cadet College, off Dacca Trunk Road, about seven miles north of Chittagong, and the other at Patenga Point, about eight miles to the south. They are both popular with children and grown-ups alike, particularly Patenga, which has better sand and a more open situation, though it has been virtually cut off from public access since the destruction of part of Patenga Road during the October 1960 cyclone.

180. We recommend the development of these beaches as seaside recreational centres with the provision of adequate car parks, cafes, week-end bungalows, and possibly a rest house or small hotel. In this respect Patenga beach has the greater potentialities, but has the disadvantage of occasional dangerous bathing conditions, and also the possibility of pollution from the sewage treatment works whose outfall will discharge into the Bay of Bengal about six miles to the north. It also adjoins the south-west flight cone to Patenga Airport, though it seems unlikely that planes to this airport will be sufficiently numerous to cause inconvenience to users of the beach. Some concern has been expressed by the aviation authority that the development of Patenga beach as a recreational centre might endanger aircraft by attracting large numbers of birds to the locality, but we hope that this fear will prove groundless in practice.

181. We would emphasize the need to prepare comprehensive development schemes for both beaches, so that gradual expansion of recreational facilities can take place to accord with an orderly plan.

CHAPTER 9

COAST PROTECTION

182. During the disastrous and tragic cyclone of October 31st, 1960, a tidal surge inundated the flat, coastal belt west of Chittagong to a depth of up to 20 feet in places. Whole villages in the path of the waters were over-whelmed and their inhabitants drowned. A repetition of this catastrophe is always possible, unless the coast lands are to be protected by building a bund sufficiently high to resist the force of the tidal surge: even so, complete protection cannot be guaranteed.

183. The East Pakistan Government has now decided to build a protective earth bund along the Chittagong coast: this has been shown on the Master Plan. Its height will be approximately 20 ft., with a slope of 2:1 on the land side and 3:1 on the sea side, and width at top of 32 ft. On the top there will be a road with a width of 12 ft. As this bund road will, in time, form an important part of the road system of the Chittagong area, we suggest that the width of the bund should be sufficient for an eventual carriageway of 24 ft., with an added width for parking at intervals. In front of the bund and just above the high water line, it is priposed to plant a protective tree belt with a minimum width of 500 ft., with the object of breaking the force of the tidal surge before it reaches the bund.

184. A coast protection scheme on the lines now contemplated is an immense undertaking, but it should greatly reduce the possibility of future inundation, and give a sense of security to the present residents of the coastal belt and confidence to prospective developers. This is most important, as the flat coastal belt includes much of the land west of Dacca Trunk Road which is zoned for both industrial and residential development, together with the Patenga area, including the site of the steel works, the oil installations and Patenga Airport.

185. The line of the coastal bund shown on the Master Plan is diagrammatic and its route will be required to be worked out in detail as soon as possible, as its exact position will affect the development plan to be adopted for adjoining areas. Two sites which call for particular mention are the coastal recreational centres: here the bund should be swung inland to leave a sufficient area available on the sea side for recreational use: this particularly applies to Patenga. Here consideration will also have to given to the height of the bund within the airport flight cone, where it may be necessary to omit the protective tree belt in front of the bund.

186. On the Master Plan the coastal bund is shown as terminating near Patenga Point, where the Karnaphuli River joins the sea. It is intended to continue the bund for some distance up the west bank of the river; the line here should be agreed by WAPDA, the Port Trust and other interested parties.

CHAPTER 10.

COMMERCE

187. The principal commercial area of Chittagong is situated in the old town and really comprises three quite distinct localities; one to the east of Court Hill, another to the west, with a third area to the south, extending from Court Hill to the river at Sadarghat and Strand Road.

188. East and north-east of Court Hill, at Patharghata, is situated one of the town's principal shopping and office areas along Anderkilla and K. C. De Road; east of these shops and offices is Teri Bazar, which is the centre of the goldsmiths and silversmiths. The extension of Teri Bazar, known as Korbaniganj, includes Baxirhat, the centre of the wholesale trade. To the south, at Chaktai, is the wholesale warehousing area which is served by the Chaktai Khal: clothing, timber, grain, fertilisers, skins, hardware and dried fish are the principal trades.

189. East of Anderkilla the whole area is characterised by extreme congestion, and has only two narrow through roads giving access to the busy Chaktai area. Comprehensive widening these roads is out of the question because of the intensity of development along their frontage: two parallel new roads are, therefore, proposed between Anderkilla, the inner ring road and the extension of Strand Relief Road to the south. These will open up the area and provide convenient by pass routes for through traffic. Land here is also zoned for a substantial extension of the Korbaniganj commercial area.

190. To the west of Court Hill is the second principal shopping area (mainly retail), which is centred on Reazuddin Bazar and extends along Station Road and Jubilee Road: this bazar will be bisected by the new inner ring road. There are also proposals for a major widening of both Station Road and Jubilee Road. The whole area is suitable for expansion of shopping facilities by comprehensive redevelopment, and a detailed plan to provide for this should be prepared as soon as possible.

191. The third principal commercial area, south of Court Hill, consists of two zones along Sadarghat Road, the one nearer the station mainly comprising retail shops, whilst towards the southern end of Sadarghat is the banking quarter serving the commercial interests centred on the older part of the port. Running west from Sadarghat Road along Strand Road is the town's principal area of small godowns: this is extremely congested and requires comprehensive redevelopment. We propose a relief road on the north which will largely leave the existing Strand Road to function as a service road to the godown area, though some widening will still be necessary.

192. Outside the older part of the town; described above, a new important commercial area is developing along Quaid-e-Azam Road, between Strand Road and Dacca Trunk Road. In time we anticipate a big expansion of commerce in this locality and we have, therefore, zoned the whole area east of Quaid-e-Azam Road, as far as Sadarghat Road, for commercial uses. The early construction of the Strand Relief Road will open up this area for development. Having regard to the importance of the frontages to Quaid-e-Azam Road and Strand Relief Road, we propose that both should be zoned as special office areas (except for the northern end of Quaid-e-Azam Road), where only office buildings are permitted.

193. Apart from the proposals described in the preceding paragraphs, the main shopping proposals are:

194. **Reazuddin**—Redevelopment and expansion eastwards to incorporate the area enclosed by Station Road and Jubilee Road, though the frontages to these roads should be retained for larger individual shops. The western part of the existing bazar will be curtailed by the route of the inner ring road. This is one of Chittagong's two most important general bazars and retail food markets serving the west side of the town.

195. **Baxirhat**—Redevelopment and expansion northwards from the present site. This is the second of Chittagong's two most important general bazar and retail food markets and serves the east side of the town.

196. **Feringhee**—Expansion and improvement of this fruit, vegetable and fish market on its present site, and the extension of commercial development northwards towards the town centre. This market is usefully sited to serve the immediately surrounding residential area.

197. **New Market**—To the south-east of Reazuddin Bazar, at the junction of Jubilee Road and Station Road, a new market (not for perishable goods), is under construction by the Chittagong Development Authority.

198. **Islamabad**—Resisting on a more spacious site in the commercial area east of Telegraph Hill and north of K. C. De Road. This cloth and leather market cannot be expanded on its present site and occupies land forming part of the proposed open space system; but it fulfils a useful function in the town's economy.

199. **Hamidullah Mia**—Resiting on more spacious site, to be selected, east of the Chaktai Khal, with access to the proposed new road. This, we understand, is the only wholesale vegetable market in the town. It is located in an area if extreme congestion without room for expansion.

200. **Chaktai**—Redevelopment and expansion of present site for which open back land is available. There are really three contiguous wholesale markets here, viz., the Osman Lane dried fish market, the New Chaktai Bazar (grains and foodstuffs), and the Old Chaktai Bazar (skins and dried fish). They largely rely on the Chaktai Khal for transport. Present road access is very bad and not suitable for heavy traffic: new roads to improve access are proposed.

201. **Chauk Bazar**—Expansion and improvement of this very old established general bazar and food market. It is excellently sited to serve the surrounding residential areas and should be developed as a major shopping centre: certain extensions have recently been carried out.

202. **Dewanhat**—Expansion and improvement of this general bazar and food market. It is strategically situated near the junction of Quaid-e-Azam Road, Dacca Trunk Road and Tiger Pass Road. With the construction of the over-bridge approach road east of the existing road, there should be ample room for the expansion of this market clear of the new bridge approach. This bazar should be developed as a major shopping centre, but kept clear of Dacca Trunk Road. Included in its proposed area of expansion is the cattle market which we consider is wrongly sited here. The present slaughter house adjoins Dewanhat Bazar on the east: its site will be absorbed in the bridge approach road, and we propose its resiting east of the town in the noxious industry area at Kalurghat.

203. **Parhartali**—Expansion and improvement of this important general bazar and food market as a major shopping centre; but the roadside shops along Dacca Trunk Road should be removed. It is well sited to serve the extensive nearby railway colony.

204. **Colonelhat**—Expansion of existing shops to serve the Faujdarhat Industrial Estate and the residential area to the east, but the Dacca Trunk Road frontage must be kept free of shops.

205. **Pathantoli**—Resting and expansion of this bazar slightly to the west, away from Quaid-e-Azam Road. It will be a useful shopping centre to serve part of the Halishahar residential area. Recently destroyed by fire, it is being rebuilt by the Chittagong Development Authority.

206. **Fakirhat**—Resiting of this general bazar and food market on the north side of Strand Road Extension, but clear of the road itself. It is an important local shopping centre with potentialities for expansion to serve the port labour residential area.

207. **Ishan Mistri Hat**—Resiting of this general bazar and food market to the south-west, to serve the large residential area south of Double Moorings.

208. Generally speaking, bazar and market facilities in Chittagong are capable of considerable improvement. Markets are relatively small, antiquated in layout, extremely congested and without room for parking and loading and un-loading of vehicles. There is need for immediate modernization and expansion of selected markets and the building of new ones: this work could well be undertaken by the Chittagong Development Authority.

Principal New Bazars—

209. In addition to the existing bazars and markets referred to, new bazars will be needed to serve the extensive areas planned for residential and industrial development. These are shown diagramatically on the 1:3960 scale plan: their exact boundaries will have to be determined when the surrounding areas are developed.

210. We propose sites for new bazars east of Chittagong at Bakalia; off Kalurghat Road and west of the Kalurghat heavy industrial area; north of the outer ring road near its junction with Hathazari Road; adjoining Sholashar Railway Station; on the Faujdarhat Industrial Estate, associated with administrative centre; and at Patenga west of the steel works site. Besides affording good positions for shops, these bazars will offer suitable sites for such public buildings as cinemas, post office and police stations.

Neighbourhood Centres—

211. In addition to the proposed bazars intended to serve as principal shopping centres, local shopping centres will be needed. These will form part of the neighbourhood layouts which should be planned in detail for the residential areas.

Grouping of Shops—

212. Recommendations in this Report for the development of main bazars and neighbourhood shopping centres are intended to provide a convenient distribution of shops to serve the residential areas. To meet local needs it may be necessary to supplement these with small groups of "Round the corner shops". It is however, most important to see that shopping provision is developed according to an overall plan. Sporadic building of shops along the main roads, and ill-sited commercial centres with shops opening on to road junctions, where they are likely to cause congestion and danger to traffic, must be avoided. We have noticed a marked tendency in Chittagong for development of small kutcha shops along the main roads: presumably these are unauthorised. Immediate steps should be taken to remove them, otherwise continuing development of this type will cause a serious breach in planning control and will nullify much of the good arising from widened roads.

Special Buildings—

213. The zoning of the centre of Chittagong for commercial purposes will permit a wide range of uses, though it does not follow that all buildings coming within this broad category should be permitted everywhere within the commercial zone. For example, a cinema or market, or any other building attracting large number of peoples would be unsuitable in a narrow street or near a busy road junction.

Car Parking—

214. Commercial buildings, particularly offices and places of assembly, attract much vehicular traffic, for which generous car parking provision must be made at the time of development. If adequate car parks are not provided, the streets, both old and new, will be used for parking and traffic congestion will continue. The capacity of car parks should be based on the net floor space of buildings. or on their seating accommodation. It is suggested that one parking space for every 2,500 sq. ft. of office floor space, or for every 50 cinema seats, would be a suitable standard.

215. In Chittagong, at the moment, there are comparatively few motor vehicles, but the number is bound to grow. This town is thus in the fortunate position of being able to make provision for future traffic expansion before the problem becomes acute and virtually insoluble.

Godowns and Open Storage Areas—

216. As is to be expected in a port town, considerable areas near the river are devoted to warehousing and storage. The Strand Road godown area and the port warehouses are the two largest concentrations: there is another area between Dacca Trunk Road and Dewanhat, whilst many small warehouses are inter-mixed with other forms of development, particularly at Chaktai. We propose additional warehousing and open storage areas totalling approximately 600 acres, as we believe that further expansion of this type will be required as the town grows. The additional areas are mainly on the south-west side of Chittagong adjoining the Mohesh Khal Diversion, which is navigable for barges, where there are already two large tea warehouses, and near the port marshalling yards, extending northwards to the site reserved for the future sewage treatment works.

CHAPTER 11

INDUSTRY

217. Besides being East Pakistan's chief port, Chittagong is one of the country's most important industrial centres, though the extent of its future role for major industrial expansion will depend upon national policy decisions, in which the relative suitability of other towns for the development of industry will have to be weighed up.

218. On its own merits, however, Chittagong has many advantages for industry. Imported raw materials are readily available, and the presence of a keen trading community with world wide contacts is a stimulant to industrial development. An ample power supply will soon be obtainable from the Karnaphuli power project at Kaptai, and provision is being made for a mains water supply and for sewage disposal, including industrial wastes. Chittagong has plenty of land suitable for industrial development with road and rail facilities, and there are also sites with river frontage to the Karnaphuli and Hokda rivers; and as population is increasing rapidly industry can be certain of an adequate labour supply. Chittagong also has the advantage of already having built up an industrial reputation through the development of a wide range of industries: and the coming of steelworks to the Patenga site should be a further stimulant, particularly to metal processing concerns, whilst proximity to the Hill Tracts, from which timber can be floated down the Karnaphuli, provides a ready source of supply of this raw material for timber processing concerns. Chittagong, however, situated, as it is, on the east side of East Pakistan, is too much off centre for ideal distribution of manufactured goods throughout the country: and it has the further drawback of not possessing a direct link with the inland water transport system of East Pakistan, upon which the country so largely relies for distribution, except through the Bay of Bengal which is dangerous for river craft in the Monsoon season. In spite of these drawbacks, in the present state of the country's development, there are powerful factors in favour of expanding Chittagong industrially, and we have assumed continued growth.

Industrial Expansion—

219. In our opinion, opportunities for industrial development in Chittagong are almost unlimited, as there is plenty of suitable land available and a rapidly expanding population from which to draw labour. In practice, therefore the rate of expansion is likely to be determined by such national factors as the rate of expansion of the country's economy, the raising of the standard of living, and government policy regarding the balance if industrial expansion as between the East and West wings, and the centres within East Pakistan to which the government seeks to steer the new industry it wishes to see developed in the East Wing.

220. We have not, therefore, directly attempted to relate the acreage zoned for industry to any specific figure of projected labour supply, as we consider that the supply can be increased by immigration from the heavily populated rural areas as the expansion of industry takes place. The important thing is that the provision of new housing should keep pace with any influx of population attracted by opportunities for additional employment.

Additional Land Zoned for Industry—

221. Altogether, within the Development Authority's area on the west bank, approximately 6,640 acres of land additional to that already developed, have been zoned for industrial expansion. If we assume that this is likely to be developed at an average density of 50 persons per industrial acre (though numbers employed will vary greatly from one industry to another, this is a reasonable average figure), then employment would be provided for an additional 282,250 persons. Against this, the increase of population at 2·25 per cent. per year will amount to approximately 291,886 persons in 20 years. Assuming that at least one person per family unit of six persons will require factory employment, we arrive at the figure of 48,648 as being the minimum additional number requiring factory employment within the next 20 years; this compares with the figure of 282,250 which is the employment potential for the land zoned for industrial expansion. This gives a wide margin, but it must be borne in mind that much of the development might, in practice, take place at a lower average density than 50 persons per industrial acre, and that the numbers

convenient situation for business, compared with the more impersonal industrial estate. Premises can be adapted inexpensively to industrial use: there is usually plenty of nearby labour, and the proprietor, who probably lives in the neighbourhood, has the advantage of carrying on business in a locality where he is well-known and can easily maintain contact with the public. Expansion of this type of industry in the business zone can certainly be expected, though we suggest that concerns should be restricted to those not employing more than 25 persons each. In the residential zones the conversion of houses to industry or business should not ordinarily be permitted, though in advance of applications to develop it is not possible to draw a hard and fast line between areas where a certain types of industry, particularly cottage industry, which is such a feature of the economy of East Pakistan, would be suitable, and where they would not.

Reserve Area: Patenga—

240. South of the steel works site an area of about 1,350 acres adjoining Patenga Airport, and extending eastwards to the Karnaphuli, has been defined as a reserve area for agriculture, donating agricultural land whose future use cannot at the moment be foreseen. In part it might be required for airport use or for industrial expansion, or for some use of a semi-industrial nature: also, furthur land in this locality might be needed for housing.

Grouping for Industry—

241. In the past, in the Chittagong area, there has been an unfortunate tendency for a scattering of industry, rather than it grouping into defined zones. It is highly desireable, both on grounds of amenity and of the economical provision of public services, that industry should be located in specific zones and that individual factories should not be permitted to develop haphazard throughout the Development Authority's area.

Experimental, Research and Testing Stations—

242. Apart from industrial development, for which areas are specifically defined, a demand can be anticipated for sites for special buildings, such as those associated with research and experimental work. Location in industrial areas, which may be both noisy and lacking in amenity, would not always be appropriate. We have, therefore, defined an area of some 400 acres for experimental, research and testing stations to the east of Dacca Trunk Road and northwards from Faujdarhat Station, where development of this character is already taking place, together with 75 acres north of Sholashahar Station, the latter to meet the needs of forestry research, and 60 acres west of Hathazari Road, near the Military Cantonment.

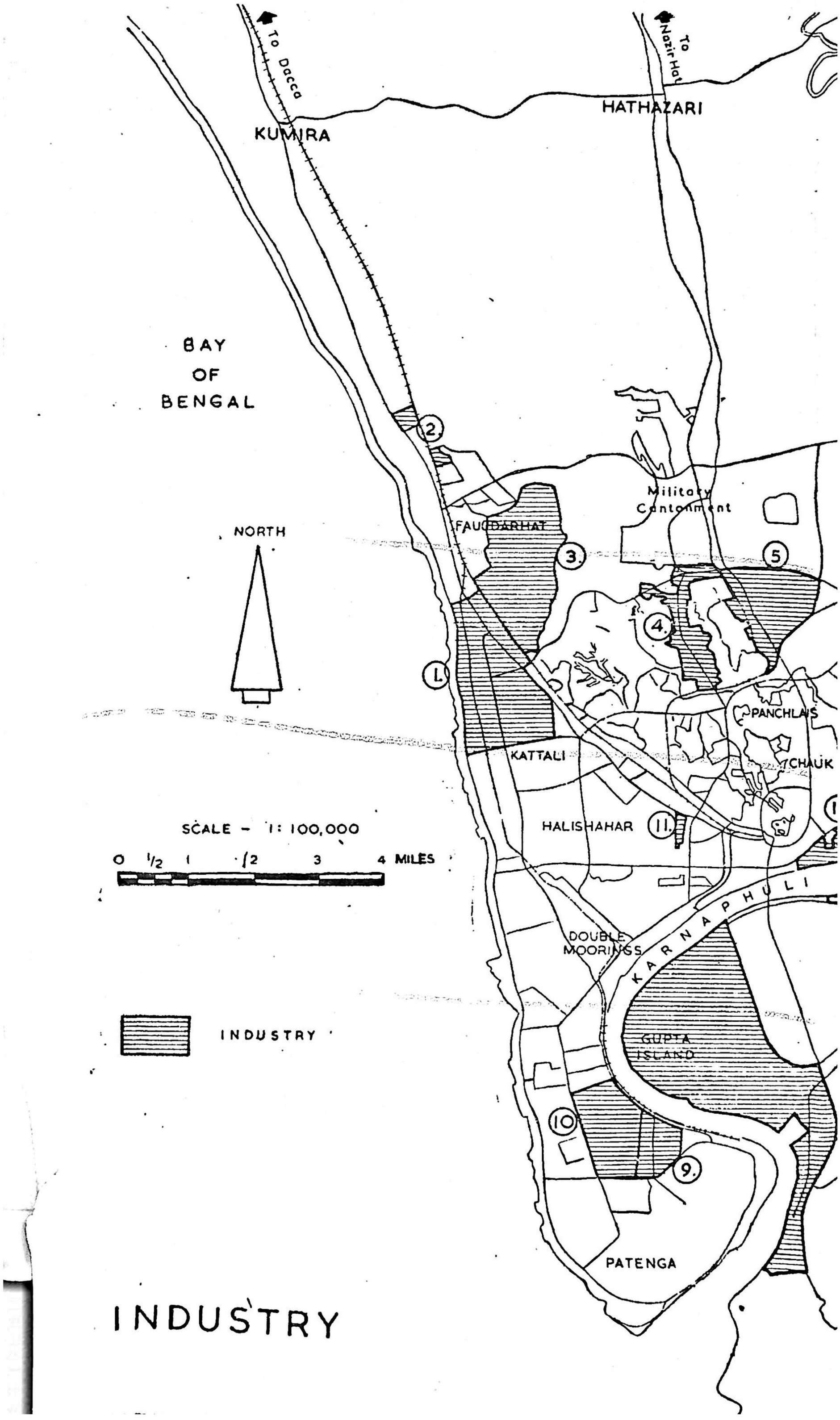
East Bank of Karnaphuli River—

243. In the past Chittagong has developed entirely on the west bank of the Karnafuli River, owing to the lack of good cross river communication, absence of public utility services on the east bank, and to the fact that the deep water channel in the main follows the west bank where the port has been established. Eventually, industrial development on the east bank can be anticipated, provided that units are sufficiently large to justify the provision of costly public utility services. We have accordingly zoned three areas along the river for industry totalling approximately 5,370 acres. The biggest site has deep water facilities opposite Gupta Point: the site opposite Chaktai also fronts relatively deep water, though the channel here is shallow compared with its depth further down the river.

Houses in Industrial Areas—

244. We wish to emphasise the need to retain the areas zoned for industry exclusively for industry. They are not optional zones where a developer can choose to put up factories or houses. Houses should not be permitted in these areas, except for the few that may be required for works personnel who must, for technical reasons, live on the site: otherwise the result will be that very mixture of housing and industry which planning seeks to prevent by defining use zones: and also the loss to industry of potentially good sites.

245. In so far as large individual concerns might wish to erect houses for their employees, they should be sited in the residential zones which are proposed near the industrial areas, and be part of the neighbourhood layouts; they should not be built in isolated communities in "tied" houses immediately adjacent to the factories where their occupants work. This is bad social planning and also leads to lower output and industrial inefficiency. Employees in these factories will wish to spend their leisure time mixing with other sections of the community, rather than living in comparative isolation on the doorstep of the factories. Furthermore, this sort of development either means that special and costly provision has to be made for such facilities as schools and playing fields, owing to the smallness and isolation of the communities to be served, or else that no such facilities are provided.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INDUSTRY

CHAPTER 12

PUBLIC UTILITY SERVICES AND LAND FOR SPECIAL PURPOSES

Sewerage—

246. Chittagong has no main drainage facilities. Night soil is collected and a number of buildings have cesspools or septic tanks; otherwise drainage is mostly to open ditches.

247. A sewerage scheme for Chittagong, covering slightly less than the area of the 1:3960 scale plan, with treatment works on the Bay of Bengal west of Halishahar has been prepared by the engineering firm of Ralph M Parsons Company for the East Pakisan Government. In the timing of development close regard must be had to the sewerage proposals and as far as possible, present development should be confined to those areas which are likely to be sewered in the future.

Water Supply—

248. There is a piped water supply within the Municipality: the water works are located at Dampara and the supply is obtained from wells. This is quite inadequate for existing needs, and in the future a piped supply will also be needed in the rapidly developing areas outside the Municipal limits. The Pakistan Eastern Railway and the Port Trust have both developed their own system, the former relying on Foy's Lake reservoir and the latter on wells. Numerous companies have also developed their own wells.

249. A comprehensive water supply scheme for Chittagong, based on the abstraction of water from the Halda River and covering the same area as sewerage scheme, has also been prepared by the Ralph M. Parsons Company; their Report of December, 1959 is under consideration by the Government.

250. One of the main features of this scheme is a first pressure level distribution system serving hilltop areas up to 130 ft. in elevation, and a second pressure level distribution system areas up to 200 ft., after levelling of hilltops: any system designed to serve the relatively few areas above this latter elevation, after hilltop reservoir sites are set aside, would be so costly as to be quite uneconomic. Accordingly, we have excluded from the development zones land which rises to a height of over 200 feet: development above this height should not be allowed. We have also indicated the area east of Nasirabad as one for levelling the hills, thus removing this area from the second pressure level zone.

251. Hilltop sites must be reserved for a limited number of relatively large elevated reservoirs to serve the first pressure level distribution system, and also for storage tanks to serve the second level system. The choice of hill tops for the large capacity reservoirs is very limited and those recommended for selection in the Parsons Report should be safeguarded against either building or cutting as should the sites proposed for storage tanks: these are indicated on both the 1:3960 scale plan and the 1:20000 scale plan.

Electricity Supply—

252. Adequate power is available, both for lighting and power. The local supply will soon be augmented from the Karnaphuli hydro-electric scheme at Kaptai. The main 132 Kv. overhead distribution line from Kaptai to Dacca passes through the northern part of the area, and at the Hilda Bridge sub-station is transformed down to 33 Kv. for local distribution to Chittagong. Temporarily, it is proposed that the 33 Kv. overhead line serving the Faujdarhat Industrial Estate should follow a route across the Foy's Lake regional park. But we consider that this, for amenity reasons, is not suitable for the permanent line which should, instead, follow the proposed road just north of the regional park.

Post Office—

253. It is proposed to rebuild the head post office on the present site in Jinnah Road which is sufficiently spacious. But a site of about two acres is required in Quaid-e-Azam Road near the Central Government offices for administrative headquarters, garaging mail vans and large sub post office.

Fire Service Headquarters—

254. A site of approximately two and a half acres on the east side of Quaid-e-Azam Road is reserved for fire service buildings. This will be the regional headquarters for the Chittagong area.

Slaughterhouse—

255. The present slaughterhouse is quite out of date and will be absorbed into the new approach road to the Tiger Pass Road bridge. A site for a modern slaughterhouse is proposed on the noxious industrial area on the east side of Chittagong.

Cemeteries—

256. New sites and extensions of existing cemeteries totalling 229·5 acres are proposed as follows:

East of Faujdarhat Station—60 acres.

West of Hathazari Road near light industrial estate—45 acres.

East of proposed by-pass to Sirajudaulla Road—60 acres.

West of Naval Base—60 acres.

Garibullah Shah—2 acres extension of existing cemetery.

257. The amount of land reserved in the above cases is based on a five year rotation of graves for 75 per cent. of the burials. A 2·5 acres extension is proposed to the existing Christian cemetery north-east of Sholashahar Station. In addition, a site for a Hindu cremation ground is indicated near the river at Chaktai. The present site adjoining the Chaktai Khal is unsuitable for permanent use because of its proximity to residential development.

Mosques—

258. Sites should be reserved in neighbourhood layouts for mosques.

Central Idgah—

259. We propose that part of the open space round the proposed stadium off Dacca Trunk Road should be reserved as central Idgah: this should include a paved area.

Chittagong Jail—

260. Chittagong Jail occupies a site of approximately 17 acres at Laldighi. By modern standards this is much too small and the buildings are antiquated. A new site of 90 acres has been selected on the west side of Hathazari. This will release the present site for redevelopment as part of the proposed civic centre.

Cinemas—

261. There are a number of cinemas in Chittagong, but they do not conform to modern standards: they are on small sites, front onto narrow roads with inadequate pavements, and lack car parking facilities. Five possible locations for new cinemas are, therefore, indicated all in the central area: two are along Quaid-e-Azam Road, and one each at Laldighi, Station Square and Strand Road Relief Road. There will, no doubt, also be a need for cinemas outside the central area, and these should be incorporated in the bazars or neighbourhood centres.

Petrol Filling Stations—

262. Chittagong is, in the main, adequately served with petrol filling stations, and a number of the existing ones are well sited and capable of expansion to deal with any foreseeable increase in traffic. Several will be affected by road improvement schemes, or are badly sited in relation to traffic safety considerations. When the road proposals in the Master Plan are carried out a number of stations may well be by-passed: this could justify the opening of stations on the new roads. There will also be opportunities for the development of stations near the proposed major industrial areas and bus stations which produce concentrations of terminating traffic. In the main, we do not favour the location of filling stations in the open countryside, unrelated to centres of development; and it is doubtful if such stations would pick up sufficient chance or passing custom to make them economic. Usually there is fierce competition between the various distributing companies for the best petrol filling station sites though the difficulty of acquiring land in the right place can do much to thwart any ideal distribution of sites. We recommend that the Chittagong Development Authority should approach the petrol distribution companies with a view to agreeing a common plan, in the light of the Master Plan proposals, for the location of petrol station sites throughout the Development Authority's area.

Hotels—

263. There is an immediate need for at least one modern hotel in Chittagong: others will no doubt be required in the future, as the town expands and business visitors and tourists become more numerous. Nine possible sites are diagrammatically indicated on the 1:3960 scale plan. We do not suggest that there will ever be a demand for so many hotels, but the sites suggested give a reasonable selection as between locations in the central area, which are convenient for business men making short trips, and locations rather further out in the residential hill areas or near the sea, where sites would enjoy a very high standard of amenity and cater rather more for the longer term visitors. We understand that a decision has already been made to build the first hotel on the site suggested north of Battali Hill.

Hospitals—

264. Present hospitals in Chittagong comprise:
Medical College Hospital, Panchlais (teaching).
General Hospital, Anderkilla.
Port Trust Hospital, east of Port marshalling yards.
Port Trust Skin and Veneral Disease Hospital, west of Quaid-e-Azam Road.
Pakistan Eastern Railway General Hospital, Railway Cantonment.
Pakistan Eastern Railway Tuberculosis Hospital, Kumira.

Hospital Proposals—

265. The following are the hospital expansion requirements of the medical authorities within the Chittagong Development Authority's area. These are based on a figure of 5 beds per 1,000 population, towards which the Medical College Hospital now contributes 120 beds and the General Hospital, Anderkilla 225 beds. Sites are indicated diagrammatically on either the 1:3960 scale plan or the 1:20000 scale plan.

General Hospitals—

266.	Medical College Hospital, including Maternity, Women's and Children's Hospital and Dental College.	Expand to 1,500 beds: indicated on 1:3960 scale plan.
	Halishahar	400 beds, west of Dacca Trunk Road: new indicated on 1:3960 scale plan.
	Hathazari Road ..	400 beds, near Chaudhuri Hat Station, north-east of Military Cantonment. Indicated on 1:2000 scale plan.
	Port Area	Port Trust hospital, north of Mohesh Khal of Diversion. This will, we understand, be in substitution for the existing Port Hospital east of the marshalling yards.

Specialist Hospitals—

267.	Mental	250 beds: Kumira, one mile south of railway station near coast: new. Indicated on 1:20000 scale plan.
	Infectious Diseases ..	250 beds: Kumira, two miles south of station, near coast: new. Indicated on 1:20000 scale plan.
	Invalid Home for Chronic Diseases.	200 beds: Faujdarhat, near coast: new. Indicated on 1:20000 scale plan.
	Tuberculosis	250 beds: Faujdahat, near coast: new. Indicated on 1:3960 scale plan.
	Skin and Veneral Diseases ..	200 beds, west of naval base, near coast: new. Indicated on 1:3960 scale plan.
	Leper Hospital ..	200 families: Kumira, approximately half a mile north of 1:20,000 scale plan boundary: new.

Clinics—

268. Sites should be reserved for clinics, laboratories and creches, though they are too small to be indicated on the Master Plan. The neighbourhood centres are suitable positions for these buildings, whose siting should be agreed with the medical authorities.

Other Public Uses—

269. Sites will almost certainly be required in the future for buildings whose special siting requirements cannot at the moment, be foreseen, and for which no specific zoning provision is made in the plan. Sites for these will have to be allocated when the need arises.

CHAPTER 13

DEVELOPMENT OF EAST BANK OF KARNAPHULI RIVER

270. The town and port of Chittagong has been developed entirely on the west bank of the river, which has acted as a barrier against any expansion of the east bank, where area is entirely rural and quite flat, except for a small tract of rather steep, broken hills on the south.

271. Much of this large area is topographically ideal for development. Rural population is relatively sparse, and most of the land is above monsoon flood level, except for Gupta Island and Lukia Island. Its disadvantages for development are the lack of speedy cross river communication with Chittagong (there are only country ferry boats), and the absence of public utility services; nor are there any proposals to provide them. To a small extent the isolation of the east bank from Chittagong will be reduced by the opening of the Kalurghat Railway Bridge to road transport and its linkage to the new road to Cox's Bazar: the bridge is, however, some six miles up river from the centre of Chittagong.

272. With so much suitable land so near to Chittagong just across the river, it is understandable that this is being thought of as a possible expansion area for the town. As an alternative to expanding Chittagong on the west bank where land is relatively expensive and distances from the town centre are increasing as building extends outwards, development on the east bank certainly has attractions, particularly as it would be likely to involve a relatively small displacement of rural population: and the provision of an efficient mechanical vehicular ferry service would stimulate development.

273. There are, however, strong economic arguments against encouraging development on the east bank. This area has no public services, and it would be exceedingly costly to provide them. On the west bank, at great cost, the two major services of main drainage and mains water supply are soon to be provided for Chittagong, and a variety of other public services are being imporved and expanded. It is better economic planning to utilise for building the areas round Chittagong that can take advantage of these services, rather than to start up a new area of development across the river where public utility services would have to be provided afresh, either when development started or later on. And even if building did start on the east bank, the main areas of development for the expansion of Chittagong are likely to continue to be the west bank of lands where the demand for building sites can most economically and conveniently be met.

274. In the circumstances, we do not recommend that development should be encouraged on the east bank, unless and until there is a prospect of the settlement here of some really large industrial enterprise (for which a suitable site could not be found on the west bank), whose size would justify the initial provision of expensive public services. This might then form a nucleus for subsequent expansion as a satellite town to Chittagong, linked eventually by a bridge across the Karnaphuli from Sardarghat. This is probably, however, looking many years ahead, unless big enterprises, which at the moment cannot be forseen, select east bank sites.

275. However, on the assumption of eventual development on the east bank, we have indicated outline zoning proposals both on the 1:3960 and the 1:20000 scale plans; they are restricted to roads and industrial and residential areas, but should be sufficient to form the basis for subsequent more detailed plans, should the need for these arise. Three industrial areas are proposed, totalling 5,370 acres, the largest, including Gupta Island and part of Lukia Island, has a frontage to the river of some seven and a half miles, of which about half is deep water frontage and suitable for heavy industry rquiring water transport facilities. Part of this site would have to be reclaimed and part is subject to height restrictions to safeguard the south-west flight cone to Patenga Airport. Rail facilities would have to be provided by a link from the Dohazari branch near Kalurghat Bridge: this is indicated on the plan. The two smaller industrial areas to the north would primarily be suitable for light industry, though the deep water channel fronts the site opposite Chaktai.

277. Adjoining the industrial areas approximately 7,800 acres of flat land have been zoned for residential use, and would be suitable for development at a relatively high average density, accommodating up to 540,000 persons. East of the Marine Academy and Juldia Signal Station, the hill land is proposed for low density development, though the broken nature of the ground and the steepness of the hills make it less suitable to build on than the Chittagong hills. As the development of the Gupta Island industrial site would necessitate raising its level, we propose that the northern part of the Juldia hill area should be reserved for sand cutting to provide this fill: it should not be residentially developed till cutting has finished.

278. A framework of main roads indicated on the plan and a site suggested for a possible bridge over the Karnaphuli to Sadarghat. This crossing would then form part of the Chittagong-Cox's Bazar road and provide a more direct route from Chittagong then the present crossing at the Kalurghat Railway Bridge.

279. Major open spaces are shown diagrammatically: their siting and extent would need to be determined when development took place; the same policy apply to shopping centres and sites for public buildings.

CHAPTER 14

THE REGIONAL PLAN PROPOSALS

280. The Master Plan comprises, in addition to the 1:3960 scale plan of the proposals for Chittagong and its environs, a map to a scale of 1:20000, showing the regional proposals for the recommended extent of the Development Authority's area.

Zoning Proposals—

281. The regional area which extends northwards from the 1:3960 scale plan boundary to a line above Kumira and Hathazari, and eastwards across the Karnaphuli River, is mostly rural. In the main, the northern area has been zoned for agriculture and forestry, though the zones for industry, brick manufacture, experimental, research and testing stations, housing and education and institutions, extend into it. North of Faujdarhat Station, on both sides of the railway, a substantial area has been zoned for experimental, research and testing stations, and smaller areas for industry and godowns and open storage: considerable development is taking place here, as the land is relatively high and requires little or no raising, and road and rail communications are good. We do not, however, favour an indiscriminate scattering of industry along the Dacca Trunk Road, and suggest a restriction of this area to concerns requiring over 50 acres of land, who are too big for location on the Faujdarhat Industrial Estate and cannot be satisfactorily accommodated on either the Kalurghat heavy industrial area or the Halda special industrial area. East of Faujdarhat Station approximately 60 acres is reserved for a cemetery to serve the north-western part of Chittagong. West of the Dacca Trunk Road we suggest that development should be confined to institutions, for which the area is so suitable because of its proximity to the sea and relative isolation. Reservations are diagrammatically indicated for a chronic diseases hospital, infectious diseases hospital and mental hospital: a leper hospital is proposed just above the northern plan boundary. East of the Hathazari Road. and north-east of the Military Cantonment, a site is indicated for a general hospital to serve the northern part of Chittagong, and land in this locality is zoned for residential and industrial purposes, and for experimental research and testing stations. West of the Halda River the Halda River special industrial area extends as far north as the Halda Bridge, and adjoining it is a residential zone.

Road Proposals—

282. Road proposals comprise two east-west routes: the southern one links up the Halda Bridge Road, Hathazari Road and Dacca Trunk Road near Faujdarhat Station. At the moment there are no east-west routes in the locality which join up the radial roads from Chittagong. As the town extends northwards such routes will become highly desirable. The second proposals is a westward continuation of the Rangamati Road from Hathazari, joining the Dacca Trunk Road just below Kumira. Also, there will be the north-south road running along the top of the coastal protection bund, which is more particularly referred to in Chapter 9 (Coast Protection).

Agricultural and Forestry Area—

283. One of the principal reasons for extending the area of control of the Chittagong Development Authority to include Hathazari and Kumaria is to secure the maintenance of a permanent agricultural zone between these two centres and Chittagong. In the absence of control there would certainly be a danger of sporadic ribbon development along both the Dacca Trunk Road and the Hathazari Road. At some time in the future it may be necessary to release more rural land for the northward expansion of Chittagong, but this should not be permitted until the extensive areas at present zoned for development have been built on. In addition to the agricultural zone, there is indicated on the regional plan a large forest area covering practically all the high land. Already much of this is owned by the Forestry Department.

Water Intake, Halda River—

284. The site chosen for the intake and treatment plant for the mains water supply schemes proposed for Chittagong is situated in the agricultural zone on the west bank of the Halda River, about four miles above its junction with the Karnaphuli. It is most important that stringent control should be exercised over any development along the Halda, in order to prevent pollution of the river; and with this in mind the recommended area of control of the Chittagong Development Authority has been extended east of the Halda.

Development of Kumira and Hathazari—

285. Both Kumira and Hathazari, which are small market towns, have potentialities for expansion, owing to their relative nearness to Chittagong and their accessibility both by road and rail. Each is, in our opinion, suitable for limited expansion by the introduction of small scale industries, but development should not be encouraged which, because of its size, would tend to destroy the

pleasant character of these centres. Of the two, Hathazari, because of the extent of the surrounding flat land, rather more lends itself to development than Kumira. The railway T. B. hospital is located on high ground at Kumira. On the west side of Hathazari a site of 90 acres has been selected for Chittagong jail which is to be moved here from its present site at Laldighi. West of the new jail site the Defence Department has selected land for an antitank range: when this is in use it will be necessary to exclude the public from an extensive area nearby. A site for a golf course has been considered south of Hathazari, partly within the Military Cantonment and partly north of it. This would be a good location for a golf course.

East Bank of Karnaphuli River—

286. The planning proposals for the east bank of the Karnaphuli have already been referred to in Chapter 13 (Development of East Bank of Karnaphuli River), and it is not, therefore, necessary to describe these again in this chapter.

CHAPTER 15

PLANNING ADMINISTRATION AND IMPLEMENTATION

287. The Chittagong Development Authority, as the planning authority, will have the two fold function of Administrator and developer.

Administrative Functions—

288. It is essential that all planning matters should be administered by a single authority, possessing adequate survey information, and able to judge each proposal for development, not in isolation, but in relation to the Master Plan as a whole. Competition from the various land consuming authorities and from private developers for the land which is suitable for development will inevitably be intense; economy of land use is essential having regard to the high density of rural population in the areas likely to be required for Chittagong's expansion; and without the guiding hand of a single planning authority this is unlikely to be achieved.

289. It is important that all development proposals, including those for use of land, erection of buildings, or change of use of existing buildings, whether by government departments or private persons; should at the initial stage, be referred to the planning authority for consultation and decision.

Executive Functions—

290. The Development Authority will be the executive authority for a wide range of planning functions, such as the construction or widening of roads, clearance and redevelopment schemes, the layout of industrial and residential estates, the provision of car parks and the development of open spaces. There in no reason why other government departments should not also undertake some of these works, provided that their schemes are in accordance with the over provisions of the Master Plan.

Housing Authority—

291. We would like to refer specially to the responsibility of the Development Authority in relation to housing.

292. Residential development is likely to be by far the biggest consumer of land, and the sites chosen will give rise to demands for schools, open spaces and roads, and possibly for industry nearby to employ the population. These are all planning matters, and it is therefore highly desirable that the functions of housing and planning should be in the hands of one authority. To the Development Authority must be entrusted the overall responsibility for dealing with housing needs. It should be responsible for the allocation of all housing sites, and also for decisions as to density, house types, layout, the apportionment of land for different purposes within the residential neighbourhood, such as schools, open spaces and local business and shopping areas, as well as for negotiations with the government departments that will be involved.

Implementation—

293. The implementation of the Master Plan will be spread over many years. As planning is an essential part of local government administration, it would be correct to say that it will be an ever continuing work, and not a "once and for all" job.

294. The Master Plan will require to be kept under continuous review as some of the factors on which it is based may well change, but in itself it only constitutes a small fraction of the planning work of the area. As it seeks to lay down principles rather than prescribe detailed proposals, numerous large scale plans for developing and redevelopment schemes will have to be prepared. There will be prolonged and continual negotiations between the Development Authority and government departments regarding their land needs, whilst negotiations with property owners and with would-be-developers will take up much time, and call for the services of experienced staff.

295. Actual execution of individual proposals will be the responsibility of numerous different agencies. Many will be undertaken by the Development Authority itself, others will be carried out by individual government departments, others again by private companies and individual developers. The important consideration in each case is to see that development fits into the framework of the Master Plan.

296. In the Dacca Master Plan Report we emphasizes our view that the extent and speed of the Development Authority's work of implementing the Master Plan will largely depend upon the amount of money made available for the various schemes. The same holds good for Chittagong, and we can only reiterate our views in this Report. It must be recognised that planning, in its administrative sense, is an integral part of local government administration, and in its executive sense is, to a large extent, a social service which cannot, and should not, be expected to "pay' in the narrow sense of each proposal being financially remunerative. But it will pay handsome dividends in the improved health and happiness of its citizens, and in efficiency of administration.

297. We consider that generous financial assistance by the Pakistan Government either in the form of a percentage grant towards the cost of most schemes, or an annual block grant, will be essential. Block grants are preferable because they give a wider measure of discretion to the spending authority as to the schemes to which the money can be devoted. A percentage grant for each job may lead to an excessive measure of detailed control by the authority making the grant. In addition to receiving grant aid, the Development Authority must be able to raise money on loan repayable over a much longer term than ten years, which, we understand, is now the maximum period: it is clear that the present methods of financing schemes are inadequate, having regard to the scope and character of the Development Authority's future work.

P. W. MACFARLANE,
for *Minoprio and Spencely and P. W. Macfarlane*
FF.R.I.B.A., M.M.T.P.I., F.R.I.C.S., M.T.P.I.,
Architects and Town Planning Consultants,
18, Seymour Street, London, W. 1.

August 1961.

APPENDIX I

Open spaces shown on 1:3960 scale Chittagong Master Plan

Number on Key Plan 4—		Area in acres.
1.	Central Area	52
2.	Government House and Niaz Stadium to inner Ring Road	84
3.	Station Square	10
4.	Riverside Town Park	37
5.	Riverside Tank at rear of Slchuddin Institute ..	25
6.	Agrabad	29
7.	Camping and Recreation Area, west of (New Moorings)	191
8.	Racecourse	204
9.	Exhibition Park, Halishahar	62
10.	Regional Park, Halishahar (shown diagrammatically) ..	60
11.	Stadium and Central Idgah, Pahartali	92
12.	Railway Tank, Pahartali	43
13.	Fauzdarhat Industrial Estate (2 areas)	108
14.	Foy's Lake Regional Park	736
15.	Botanical and Zoological Gardens	354
16.	Khulsi Road	25
17.	Alpine Park, Khulsi Road	127
18.	Battali Hill	53
19.	View Point, Chatteswari Road	13
20.	Bazid Bostami Shrine, Nazirabad	17
21.	Regional Park, east of Hathazari Road	99
22.	Parkway along Chaktai Khal	115
23.	Regional Park, east of Chauk Bazar	189
24.	Park; near Kalurghat Heavy Industrial Area ..	107
	Miscellaneous areas not shown on Key Plan ...	103
	Total ..	2,935 acres.

Areas of land use shown on 1:3960 scale Chittagong Master Plan (excluding East Bank of Karnaphuli)

Land use.	Acreage.		Percentage of total area.
Residential—			
Housing and ancillary uses ..	11,277		
Reclaimed housing areas ..	208		
Hill development: little or no cutting of hills.	2,294		
Development: only after hills are demolished.	406	14,185	34·8
Industrial—			
Existing or approved industry ..	1,182		
Proposed extension of industry ..	4,461		
Reclaimed extension of industry ..	476		
Noxious industry	182		
Small scale workshop industry ..	36		
Small scale riverside industry ..	125		
Reclaimed small scale riverside industry.	166		
Godowns and open storage ..	937		
Brick manufacturing area ..	1,189		
Oil storage area	354		
Sewage treatment works ...	170	9,278	22·7
Commercial—			
General business areas	636		
Special shopping areas	24		
Special office areas	208	868	2·1
Government Areas—			
Public buildings	86		
Defence areas	919	1,005	2·6
Education and Institution Areas—			
Large education and institution areas	1,031		
Experimental, research and testing stations.	75	1,106	2·8
Open Spaces—			
Parks and other open spaces ..	2,376		
Reclaimed parks and other open spaces	85		
Botanical and zoological gardens ..	354		
Reserve area for agriculture ..	1,836		
Proposed coastal bund	410		
Proposed protective tree belt ..	1,001		
Cemeteries	185	6,247	15·3
Port Area—			
Main port area	360		
Reclaimed main port area ...	10		
Fish harbour	41		
Karnaphuli river	4,283	4,694	11·5
Communications—			
Patenga airport	1,154		
Land used for railway purposes ..	417		
Railway lines	289		
First class roads	613		
Second class roads	464		
Third class roads	101	3,038	7·4
Other Areas—			
Wireless stations	269		
Large tanks	60	329	0·8
Total ...		40,750 acres	100·0

APPENDIX II

Areas of Land use shown on 1:20000 Scale Chittagong Regional Plan Outside 1:3960 Scale Master Plan (Excluding East Bank of Karnaphuli)

Land use.	Acreage.	Percentage of total area.
Housing and ancillary uses	1,500	2·5
Hill Top residential development, little or cutting of hills.	700	1·2
Industry	1,625	2·8
Brick manufacturing area	100	0·2
Godowns and open storage	65	0·1
Defence areas	670	1·2
Prison	85	0·1
Education and institution areas	320	0·6
Experimental, research and testing stations ...	680	1·2
Parks and other spaces	35	0·1
Agriculture	33,435	59·9
Forests	12,410	21·2
Extensions to forests	1,710	2·9
Proposed coastal bund	400	0·7
Proposed protective tree belt	810	1·4
Cemeteries	60	0·1
Halda river	1,290	2·3
Railway	173	0·3
Principal roads	570	1·0
Water intake plant	140	0·2
Total ..	55,778	100·0

APPENDIX II

East Bank of Karnaphuli: Areas of Land use shown on 1:20000 Scale Chittagong Regional Plan

Land use.	Acreage.	Percentage of total area.
Housing and ancillary uses	7,400	22·3
Reclaimed housing areas	406	1·2
Hill top residential development: little or no cutting of hills.	1,456	4·3
Residential development: only after hills are demolished.	589	1·8
Industry	4,743	14·1
Reclaimed industrial areas	629	1·9
Agriculture	17,745	52·0
Parks and other open spaces	85	0·3
Reclaimed parks and other open spaces ..	37	0·1
Railways	130	0·4
Principal roads	374	1·0
Total ..	33,594	100·0

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The Dacca Gazette

Extraordinary

Published by Authority

THURSDAY, NOVEMBER 23, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-36/61/1049-L/II—21st November 1961—Whereas Dacca District Transport Employees' Union, 102, Nawabpur Road, Dacca, has made complaints under section 31 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959) in case of Industrial Dispute Case Nos. 69/60, 70/60 and 54/61 to the Industrial Court, East Pakistan at Dacca against Messrs Md. Ismail, 30, Bonogram Road, Dacca (in respect of Industrial Dispute Case No. 69/60), Messrs Sultan Brothers, 54/2, Bamacharan Chakroborty Road, Dacca (in respect of Industrial Dispute Case No. 70/60) and Mr Sharfuddin, 4, Suklal Das Lane, Dacca (in respect of Industrial Dispute Case No. 54/61);

And, whereas, the said Court has given its award as appended hereto;

Now, therefore, in pursuance of sub-section (*2*) of section 12 read with section 31 of the said Ordinance, the Governor is pleased to direct that the award be published in an extraordinary issue of the *Dacca Gazette.*

By order of the Governor,
M. A. SIDDIQUI, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT, EAST PAKISTAN

(i) Industrial Dispute Case No. 69/60

(*Under section 30 of the Industrial Disputes Ordinance, 1959*)

Dacca District Transport Employees' Union, 102, Nawabpur Road, Dacca, representing the Transport Employees.. *1st party.*

versus

Messrs Md. Ismail, 31, Bonogram Road, Dacca, owner of Town Bus Service—EBD 1092 .. .. *2nd party.*

(ii) Industrial Dispute Case No. 70/60

(*Under section 31 of the Industrial Disputes Ordinance, 1959*)

Dacca District Transport Employees' Union, 102, Nawabpur Road, Dacca, representing the Transport Employees.. *1st party.*

versus

Messrs Sultan Brothers, 54/2, Bamacharan Chakroborty Road, Dacca, owner of Town Bus Service—EBD 825 .. .. *2nd party.*

(iii) Industrial Dispute Case No. 54/61

(*Under section 31 of the Industrial Disputes Ordinance, 1959*)

Dacca District Transport Employees' Union, 102, Nawabpur Road, Dacca .. *1st party.*

versus

Mr Sharfuddin, 4, Sukhlal Das Lane, Dacca, father of late Mr Shafi Ahmed, owner of EBD 2242 .. *2nd party.*

Before—

M. A. Jalil, Esq. .. .. *Chairman, Industrial Court, East Pakistan.*

Mr K. M. Nasirul Haque
Mr K. M. M. Abdul Qader } .. *Members.*

DECISION

These three cases have been heard together.

Industrial Dispute Case No. 69/60 arises out of an application under section 30 and Industrial Dispute Cases Nos. 70/60 and 54/61 arise out of applications under section 31 of the Industrial Disputes Ordinance, 1959. The applications have been filed by the Dacca District Transport Employees' Union on behalf of three employees who are said to have been dismissed by their employers during the pendency of the conciliation proceedings, or court proceedings, as the case may be, in respect of an industrial dispute between the parties. The employees in Cases Nos. 69/60 and 54/61 are drivers and the employee in Case No. 70/60

is a conductor The first party's case is that the employees have been wrongfully and illegally dismissed and that, therefore, they should be reinstated with back pay and proper action should be taken against the employers concerned for violation of the provisions of section 30 of the Ordinance.

The second party in each case resisted the application on merits as also on the ground that the application is not maintainable.

In our view, the second party's objection as regards the maintainability of the application must succeed and it is unnecessary for us to consider the cases on merits. Rule 39 of the East Pakistan Industrial Disputes Rules, 1960 lays down that "where an employee is aggrieved by any contravention of section 30, he may either personally or through authorised agent, make a complaint in writing duly signed and dated by the employee to the Court giving full description and address of himself and the employer, clearly stating the nature of the particular contravention and the nature of the relief prayed for".

In this case none of the three employees signed the application which was signed and filed on his behalf by the Dacca District Transport Employees' Union. Therefore, the applications are not in proper form and cannot be entertained.

In the result then, the applications are dismissed.

M. A. JALIL,
Chairman, Industrial Court,
East Pakistan.

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THURSDAY, NOVEMBER 23, 1961

PART IIIB—Martial Law Regulations, Orders, etc., promulgated by the Administrator, Martial Law in East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

NOTIFICATION

No. 898 L.—23rd November 1961—The following Martial Law Zone 'C' Order made by the Commander, 14 Division and Administrator, Martial Law in East Pakistan, is hereby published for general information:

MARTIAL LAW ZONE 'C' ORDER

Order No. 130

Special Military Court constituted under Martial Law Zone 'C' order No. 121 is dissolved with effect from 13th November 1961.

Place: DACCA CANTT
Dated: *14th November 1961.*

KHAWAJA WASIUDDIN, *Major-General*,
Martial Law Administrator, Zone 'C'
(East Pakistan).

By order of the Administrator,
Martial Law, Zone 'C'
(East Pakistan),

M. A. AMEEN,
Dy. Secy. to the Govt. of East Pakistan.

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FRIDAY, NOVEMBER 24, 1961

PART V—Ordinances promulgated by the President

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GOVERNMENT OF PAKISTAN

MINISTRY OF NATIONAL RECONSTRUCTION AND INFORMATION

(Basic Democracies Wing)

ORDINANCE No. XLII of 1961

AN

ORDINANCE

further to amend the Municipal Administration Ordinance, 1960.

Whereas it is expedient further to amend the Municipal Administration Ordinance, 1960, for the purposes hereinafter appearing;

Now, therefore, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the folling Ordinance:—

1. *Short title and commencement.*—(*1*) This Ordinance may be called the Municipal Administration (Third Amendment) Ordinance, 1961.

(2) It shall come into force at once.

2. *Amendment of section 5, Ordinance No. X of 1960.*—In the Municipal Administration Ordinance, 1960, hereinafter referred to as the said Ordinance, section 5 shall be renumbered as sub-section (1) of that section and—

(a) in sub-section (1) as so renumbered, after the words "this Ordinance" the words "or a Town Committee constituted under the Order" and after the words "Municipal Committee" last occurring, the words and commas, "or, as the case may be, a Town Committee", shall be inserted and shall be deemed always to have been so inserted, and

(b) after sub-section (1) as so renumbered, the following sub-section (2) shall be added, namely:—

"(2) A notification under sub-section (1) may be issued to have effect retrospectively from any date not earlier than the commencement of this Ordinance."

3. *Amendment of section 128, Ordinance No. X of 1960.*—In section 128 of the said Ordinance, in sub-section (1), after the words "Municipal Committee", twice occurring the words "or a Town Committee" shall, in both places, be substituted.

MOHAMMAD AYUB KHAN, H. Pk., H. J.,
FIELD MARSHAL,
President.

Rawalpindi, the 20th October, 1961.

S. H. RAZA, S.Q.A., C.S.P.,
Secretary.

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Extraordinary

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SATURDAY, NOVEMBER 25, 1961

PART V—Ordinances promulgated by the President

[Republished from the Gazette of Pakistan, Extraordinary, dated the 14th October 1961.]

GOVERNMENT OF PAKISTAN

MINISTRY OF INDUSTRIES

ORDINANCE No. XLI of 1961.

AN

ORDINANCE

further to amend the Pakistan Industrial Development Corporation Act, 1950.

Whereas it is expedient further to amend the Pakistan Industrial Development Corporation Act, 1950 (XLV of 1950), for the purposes hereinafter appearing;

Now, therefore, in pursuance of the Proclamation of the seventh day of October, 1958, 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 and commencement.—(1) This Ordinance may be called the Pakistan Industrial Development Corporation (Amendment) Ordinance, 1961.

(2) It shall come into force at once.

2. Amendment of section 6, Act XLV of 1950.—In the Pakistan Industrial Development Corporation Act, 1950 (XLV of 1950), hereinafter referred to as the said Act, in section 6,—

(a) for sub-section (1), the following shall be substituted, namely:—

"(1) The Board shall consist of such Directors, not more than five, as may be appointed by the Central Government.":

(b) in sub-section (2), in clause (d), for the words "hold office for a term of three years unless sooner removed by the Central Government" the words, figures, letter and comma "subject to the provisions of sections 8 and 8A, hold office for a term of three years" shall be substituted ; and

(c) after sub-section (2), the following new sub-section (3) shall be added, namely:—

"(3) One of the Directors appointed under sub-section (1) shall be the Financial Director, who shall exercise such powers and discharge such duties as may be prescribed by rules."

3. Amendment of section 8, Act XLV of 1950.—In the said Act, in section 8,—

(a) in sub-section (1), for clause (d), the following shall be substituted, namely:—

"(d) is or at any time has been disqualified for employment in, or dismissed from, the service of the State ; or" ; and

(b) for sub-section (2), the following shall be substituted, namely:—

"(2) The Central Government may, by order in writing, remove the Chairman or a Director if he—

(a) refuses or fails to discharge or becomes, in the opinion of the Central Government, incapable of discharging his responsibilities under this Act ; or

(b) has, in the opinion of the Central Government abused his position as Chairman or Director ; or

(c) has knowingly acquired or continued to hold, without the permission in writing of the Central Government, directly or indirectly, or through a partner, any share or interest in any contract or employment with, by or on behalf of the Corporation, or in any property which, in his knowledge. is likely to benefit or has benefited as a result of the operations of the Corporation ; or

(d) has absented himself from three consecutive meetings of the Board without the leave of Central Government in the case of the Chairman, or of the Chairman in the case of a Director."

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

4. **Insertion of new section 8-A, Act XLV of 1950.**—In the said Act after section 8, the following new section 8-A shall be inserted, namely:—

"8A. *Resignation or removal of Chairman, etc., upon notice.*—Notwithstanding anything contained in sections 6, 7 and 8, a Chairman or a Director whether appointed before or after the commencement of the Pakistan Industrial Development Corporation (Amendment) Ordinance, 1961, may, at any time before the expiry of his term, upon three months' notice, resign his office, or upon similar notice, be removed from office by the Central Government without assigning any reason."

5. **Insertion of new sections 10-A and 10-B, Act XLV of 1950.**—In the said Act, after section 10, the following new sections 10-A and 10-B shall be inserted, namely :—

"10-A. *Proceedings not to be invalid on certain grounds.*—No act or proceeding of the Board shall be, or shall be deemed ever to have been, invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Board.

10B. *Delegation of powers.*—The Corporation may, by general or special order in writing, direct that such of its powers shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercisable also by the Chairman or by such Director or officer as may be so specified.".

MOHAMMAD AYUB KHAN, H. Pk., H. J.,
Field Marshal,
President.

S. M. YUSUF,
Secretary.
Ministry of Industries.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. 882 FD (INT)—24th November 1961—In exercise of the powers conferred by sub-clause (*3*) of clause 1 of the East Pakistan Guests Control Order, 1959, the Governor is pleased to direct that notification No. 203 FD., dated the 5th January 1959, shall stand repealed from the date of publication of this notification in the *Official Gazette*.

By order of the Governor,

S. H. ALI,

Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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(*2*) It shall come into force at o

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MONDAY, NOVEMBER 27, 1961

PART IIIA—Ordinances promulgated by the Governor of East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XLI of 1961

THE CHITTAGONG DEVELOPMENT AUTHORITY (AMENDMENT) ORDINANCE, 1961

AN

ORDINANCE

further to amend the Chittagong Development Authority Ordinance, 1959.

Whereas it is expedient further to amend the Chittagong Development Authority Ordinance, 1959, for the purpose and in the manner hereinafter appearing; E.P. Ord. No. LI of 1959.

Now, therefore, in pursuance of the Presidential Proclamation of the 7th day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of East Pakistan is pleased to make and promulgate the following Ordinance, namely:—

Short title and commencement.

1. (*1*) This Ordinance may be called the Chittagong Development Authority (Amendment) Ordinance, 1961.

(*2*) It shall come into force at once.

Amendment of section 30 of E.P. Ord. No. LI of 1959.

2. In section 30 of the Chittagong Development Authority Ordinance, 1959— E.P. Ord. No. LI of 1959.

(i) *for* clause (*h*), the following shall be *substituted*, namely:—

"(h) the formation, establishment, retention or enlargement of open spaces, parks, recreational zones, play grounds, markets, bazars, shopping areas, or any other type of development, as may be considered necessary for urban communities;"; and

(ii) *for* clause (*k*), the following shall be *substituted*, namely:—

"(k) the development of residential areas, commercial areas, industrial areas, recreational areas, educational zones and administrative zones;

(l) the development of such areas outside, but contiguous to, the area of a particular scheme or schemes as the Authority may think fit to develop; and

(m) any other matters consistent with this Ordinance which the Authority may think fit.".

Dacca;
The 24th November 1961.

M. AZAM KHAN,
Governor of East Pakistan.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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PART IIIA—Ordinances promulgated by the Governor of East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XLII of 1961

THE EAST PAKISTAN INLAND WATER TRANSPORT AUTHORITY (AMENDMENT) ORDINANCE, 1961

AN

ORDINANCE

further to amend the East Pakistan Inland Water Transport Authority Ordinance, 1958.

Whereas it is expedient further to amend the East Pakistan Inland Water Transport Authority Ordinance, 1958, for the purposes and in the manner hereinafter appearing; E.P. Ordinance LXXV of 1958.

Now, therefore, in pursuance of the Presidential Proclamation of the 7th day of October, 1958, and having received the previous instructions of the President, the Governor of East Pakistan is pleased, in exercise of all powers enabling him in that behalf, to make and promulgate the following Ordinance, namely:—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the East Pakistan Inland Water Transport Authority (Amendment) Ordinance, 1961.

(*2*) It extends to the whole of East Pakistan.

(3) It shall come into force at once.

Amendment of section 8 of E. P. Ord. LXXV of 1958.

2. In section 8 of the East Pakistan Inland Water Transport Authority Ordinance, 1958, in sub-section (*1*)—

(i) *for* clauses (*c*) and (*d*), the following shall be *substituted*, namely:—

"(c) One representative nominated by the Provincial Government;

(d) One representative nominated by the Chittagong Port Trust;"; and

(ii) *for* clause (*h*), the following shall be *substituted*, namely:—

"(h) One representative of the Pakistan River Steamers Ltd;".

DACCA;
The 24th November 1961.

M. AZAM KHAN,
Governor of East Pakistan.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge. East Pakistan Government Press, Dacca.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Reg. No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

MONDAY, NOVEMBER 27, 1961

Orders and Notifications by the Governor of Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

NOTIFICATION

1146T/II.—16th November 1961—In exercise of the powers conferred by section 3 of the Pakistan Control of Essential Commodities Act, 1956, the Governor is pleased to make the following amendments in the East Pakistan Cement Control Order, 1957, published under notification No. 6626CG., dated the 21st May 1957, as subsequently, namely:

Amendments.

In the said Order—

(a) in paragraph 2, *for* clause (*e*), *substitute* the following, namely:—

"(e) "Deputy Commissioner" means Deputy Commissioner of a district and includes any other person authorised by the Deputy Commissioner in writing to perform all or any of the functions of the Deputy Commissioner under this Order.".

(b) *Omit* paragraphs 4A, 5, 5A, 6A and 6B.

Amendment of section 8 of E. P. Ord. LXXV of 1958.

2. In sec
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1961

trate", *substitute* the words "Deputy Commissioner".

(d) in paragraph 8,—

(i) in sub-paragraph (*i*), *for* the words "District Magistrate", *substitute* the words "Deputy Commissioner";

(ii) in sub-paragraph (*ii*), *for* the words "District Magistrate", *substitute* the words "Deputy Commissioner"; and

(e) in sub-paragraph (*iii*), *for* the words "District Magistrate", *substitute* the words "Deputy Commissioner";

(f) in paragraph 12, *for* the words "District Magistrate", *substitute* the words "Deputy Commissioner".

(g) *for* paragraph 13, *substitute* the following, namely :—

(1) Every licensee or any person employed by him on his behalf, shall comply with any special or general direction issued in writing by the Director or the Deputy Commissioner for carrying out the purposes of this Order.

(2) Without prejudice to the generality of the powers conferred by sub-paragraph (*1*), such directions may, subject to the provisions of this Order, provide for—

(a) the manner in which applications for licences under this Order shall be made;

(b) the accounts and registers which shall be maintained by the producer, importer or dealer and the returns and reports which shall be submitted by them."

By order of the Governor,
S. AHMED,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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ed by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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PART I—Orders and Notifications by t
Administrator, Martial Law in East P
Treasury, etc.

GOVERNMENT OF

COMMERCE, LABOUR AND I

Industri

NOTIFICA

No. 3R-9/60/Ind-IV/408——13th M
conferred by section 29 of the Boilers Act,
of the rules published under notification N
subsequenty amended, the Governor is pl
having been published the same in the G
1st February, 1961, Part I, at pages 29

RULES UNDER SECTION 29 OF TH

1——Prelim

1. Short title and definitions——(1) The
Boilers Rules, 1961.

(2) In these rules, unless there is
context,—

(a) "the Act" means the Boilers Act,

(b) "section" means a section of the

(c) "regulation" means a regulation
by the Government of Pakis

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Gazette

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MBER 29, 1961

he Governor of East Pakistan, the
akistan, the High Court, Government

EAST PAKISTAN
NDUSTRIES DEPARTMENT

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.TION.

y,, 1961—In exercise of the power
1923 (V of 1923), and in supersession
o.. 2827-Com., dated 7th July 1928, as
eased to make the following rules after
acca *Gazette, Extraordinary,* dated the
to 304, namely:

E BOILERS ACT, 1923 (V OF 1923).

liniary.

:se: rules may be called the East Pakistan

anything repugnant in the subject or

1923 (V of 1923);

said Act; and

of the Boiler Regulation, 1951, framed
am under section 28 of the said Act.

II—General.

2. **Payment of fees, etc.**—All fees, costs and penalties payable under the Act or any regulation or rule framed thereunder, shall be deposited in a Government treasury under the head "XXXVI—Miscellaneous Departments—Fees for the inspection of Steam Boilers", by chalan in triplicate, the original copy being forwarded to the Chief Inspector of Boilers, East Pakistan, Dacca, together with the application for inspection. An application under section 7 or section 8, to which the treasury receipt obtained on payment of the prescribed fee is attached, shall be deemed to be accompanied by the prescribed fee.

Note—In the case of fees payable by Government Departments the payment shall be made by book transfer.

3. **Appointment of Inspectors**—The appointment of the Chief Inspector and Inspectors of Boilers shall be regulated by the rules framed by the Provincial Government for the recruitment of officers in the East Pakistan Boilers Service.

III—Fees.

4. **Calculation of fees for registration of boilers**—(1) Fees required to accompany applications under sub-section (*1*) of section 7 and sub-section (*4*) of section 8 of the Act shall be calculated on the basis of boiler rating as prescribed in regulation 364.

(2) The formula for calculating boiler rating shall be as prescribed in regulation 363.

5. **Scale of fees**—The following fees are prescribed, namely:—

(1) *Registration fees*—Fees for registration and first ispection of boilers shall be as prescribed in regulation 365.

(2) *Fees for renewal of certificates*—Fees required to accompany applications for the issue of renewed certificates under sub-section (*4*) of section 8 of the Act shall be on the following scale:

	Rs.
For boiler rating not exceeding 100 square feet	50
For boiler rating exceeding 100 square feet but not exceeding 300 square feet.	60
For boiler rating exceeding 300 square feet but not exceeding 500 square feet.	70
For boiler rating exceeding 500 square feet but not exceeding 700 square feet.	80
For boiler rating exceeding 700 square feet but not exceeding 900 square feet.	90
For boiler rating exceeding 900 square feet but not exceeding 1,100 square feet.	100
For boiler rating exceeding 1,100 square feet but not exceeding 2,000 square feet.	110
For boiler rating exceeding 2,000 square feet but not exceeding 4,000 square feet.	120
For boiler rating exceeding 4,000 square feet but not exceeding 6,000 square feet.	140

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	Rs.
For boiler rating exceeding 6,000 square feet but not exceeding 8,000 square feet.	160
For boiler rating exceeding 8,000 square feet but not exceeding 10,000 square feet.	180
For boiler rating above 10,000 square feet	200

Provided that when any owner is willing to accept a renewed certificate for less than twelve months in order to approximate the date of annual inspection to the date on which other boilers in the locality are inspected, a certificate for such period, less than twelve months as may be necessary for such approximation of dates, may be granted at a reduced fee to be calculated at one-twelfth of the ordinary fee for each full month, a portion of a month not being reckoned.

(3) *Application of the above fees*—The fees mentioned in sub-rules (*1*) and (2) shall cover through inspection, hydraulic test and steam test where such are necessary, subject to the provisions of sub-section (2) of section 14.

(4) *Second fees for re-inspection of defective boilers and inspection in default*—A second fee shall be leviable for the re-inspection of a defective boiler and also in any case where the inspection of a boiler is begun, but owing to the fault or neglect of the owner or person-in-charge, is not completed within a period of six months from the date of commencement of inspection.

(5) *Fees for duplicate certificates*—Duplicate certificates for *bona fide* purposes may be issued to boiler owners under the orders of the Chief Inspector on receipt of a fee of Rs.3 per copy.

(6) *Fee for copy of registration book*—For each copy Rs.5.

(7) *Additional fee for inspection on Sundays and certain holidays.*—(a) Notwithstanding the provisions of sub-rule (*3*), an additional fee of Rs.50 shall be charged for the inspection of a boiler on a Sunday, or gazetted public holiday, provided that such inspection is made at the request of the owner of person in-charge of the boiler.

(b) The additional fee charged under clause (a) shall be paid in the manner prescribed in rule 2.

Note—The Inspector who makes the inspection shall be entitled to an allowance equal to half the additional fee so charged.

(8) *Payment of Inspector's travelling expenses in certain cases*—(a) In addition to the above fees, an Inspector's travelling expenses shall be realised from owners, whose boilers are not ready for inspection on the first visit made on their application and for every additional visit paid by the Inspector for the completion of the inspection.

(b) If the owner of a boiler requires an inspection at a time which would necessitate a special journey by an Inspector, an additional fee equal to the travelling allowance of the Inspector and his attendant staff, if any, as determined by the East Pakistan Service Rules shall be paid by the owner of the boiler in addition to the fees prescribed in this rule:

Provided that if two or more owners apply for inspections which are made in the course of a single such journey, the additional fee prescribed in this clause shall be recovered from such owners in such proportion as the Chief Inspector may determine.

6. **Refund of fees**—Fees paid in excess and fees paid for inspections which, for any reason not due to any fault or omission of the owners or persons in-charge of boilers, have not been made, shall be refunded by the Chief Inspector if application for refund is made within one year from the date of payment or may be set off by the Chief Inspector against the fees for the inspections of any other boilers of the same owners.

IV—Duties of the Chief Inspector.

7. **General control**—The Chief Inspector shall be vested with all the powers of an Inspector under the Act, but his main duty shall be the supervision and control of the work of the Inspector. He shall normally inspect or examine boilers only in exceptional cases, or in such cases as he considers that the work of an Inspector requires a personal check.

8. **Specific duties**—The Chief Inspector shall—

(a) personally check the registration and measurements of all newly registered boilers, for the initial working pressure and enter under his own signature all orders required by section 7;

(b) enter under his own signature any subsequent entries required in the registration book;

(c) obtain the memorandum of inspection and registration books of a boiler which has been registered in another Province and the subsequent transfer of which to this Province is reported under clause (b) of section 6 of the Act (*see* regulation 368);

(d) approve the programme of inspections of all Inspectors subordinate to him with due regard to the convenience of owners generally;

(e) examine and countersign the Inspector's memorandum of inspection book of each boiler after each inspection;

(f) examine and pass orders on the diaries and returns of Inspectors;

(g) pass orders in all cases in which an Inspector proposes to increase or reduce pressure allowed for any boiler under proviso (*a*)(*ii*) of sub-section (*5*) of section 8 or to revoke, cancel or refuse to renew the certificate of a boiler under section 11, or to order important repairs, structural alterations, or renewals in a boiler under section 8;

(h) pass order in all cases in which it is reported that after due notice the boiler has not been properly prepared for inspection;

(i) decide all appeals against the order of Inspector under section 19;

(j) sanction prosecutions under the Act;

(k) enquire into serious accidents to boilers;

(l) prepare the Annual Report on the working of the Boilers Act, 1923; and

(m) prepare the budget estimates for carrying out the purposes of the Act.

9. **Advice to owners**—The Chief Inspector may advice owners regarding the maintenance, working and cleaning of boilers. Such instructions as he may issue for this purpose shall be hung up in each boiler house.

10. **Registers to be kept**—The Chief Inspector shall keep in his office—

(a) a register in Form A annexed to these rules of all boilers registered in the Province, or the registry of which has been transferred from another province;

(b) the registration book and memorandum of inspection book of all boilers borne on his register;

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(c) a register of appeals;
(d) a register of accidents; and
(e) a register of registration and inspection fees received.

11. **Control of bills**—The Chief Inspector shall be the controlling or countersigning authority in respect of all contingent bills and of travelling allowance bills of officers subordinate to him.

12. **Application for inspection and certificate**—When a certificate is required for a boiler, application shall be made by the owner to the Inspector through the Chief Inspector of Boilers at the Head Office, Dacca, in Form B, No. 1, appended to these rules, stating the date on which the boiler will be ready for inspection. Such application shall be accompanied by the treasury receipt in original obtained on payment of the prescribed fee. In the case of boilers belonging to Government Departments the application shall be accompanied by the accepted book debit voucher for payment of the prescribed fee. On receipt of the application at the head office it shall be sent to the Inspector concerned with the necessary endorsement thereon by the Cashier, showing that the fee and the extra fee, if any, chargeable for inspection on a Sunday or other holiday as laid down in clause (7) of rule 5 together with the Inspector's travelling expenses, if any, chargeable under sub-clause (a) or sub-clause (b) of clause (8) of rule 5 have been paid. If the date on which the boiler will be ready for inspection as stated in the application by the owner is unsuitable for inspection of the boiler, the Inspector shall fix a date within thirty days from the date of the receipt of the application for such inspection and will give the owner not less than ten days' notice of the date so fixed.

13. **Establishment under the Chief Inspector**—The Chief Inspector shall from time to time prepare and submit for the sanction of the Provincial Government a schedule of the establishment and salaries which he considers necessary for carrying out the purposes of the Act.

V—Duties of Inspectors.

14. **Subordinate to Chief Inspector**—Inspectors shall be directly subordinate to and under the control of the Chief Inspector; they shall ordinarily be appointed to take charge of specific areas.

15. **General duties of Inspectors**—The main duties of Inspectors as laid down in the Act shall be the inspection and examination of boilers and steam pipes. Inspections shall be carried out in strict accordance with Chapter IX of the Regulations and Chapters VIII and IX of these rules.

16. **Kinds of inspection**—There shall be two kinds of inspection of boilers—

(a) When the certificate granted under this Act is about to expire or when it has been revoked or suspended under section 11 and the owner desires that it shall be renewed, a thorough examination, inside and outside, shall be made by one of the Inspectors in person, for which purpose the boilers must be prepared as required by regulation 356.

(b) An ordinary inspection may be made by an Inspector at any time for the purpose of ascertaining whether a certificate should be revoked or suspended under section 11 of the Act.

17. **Search for unregistered boilers**—In addition to the inspection and examination of boilers, it shall be the duty of Inspectors to search for unregistered or uncertificated boilers within their areas, and to see that certificated boilers are worked in accordance with the terms of their certificates, and with any regulation or rule under the Act for safe working.

18. **Inspectors to advise owners**—At the time of inspection, Inspectors may advice the owner and the person-in-charge of the boiler on the management and upkeep of the boiler with special reference to the amount of cleaning required in view of the quality of water used.

19. **Specific duties**—Inspectors shall—

(a) prepare a programme of inspections with regard to the convenience of owners generally and submit it to the Chief Inspector for approval at such periods as he may fix, at least fourteen days before the first date fixed in the programme;

(b) maintain a memorandum of inspection book for each boiler under their charge and submit it to the Chief Inspector for examination and countersignature after each inspection;

(c) keep a diary for monthly submission to the Chief Inspector, showing places visited, boilers registered or inspected, variations from the programme, and any other important particulars;

(d) receive applications for registration or inspection under section 7 or 8, proposals for repairs, alterations or renewals under sections 12 and 13, reports of accidents under section 18;

(e) enquire into accidents to boilers or steam pipes and report to the Chief Inspector;

(f) report to the Chief Inspector cases of unreported accidents discovered at the time of inspection; and

(g) submit for the orders of the Chief Inspector—

(i) the memorandum of inspection books of all boilers proposed for registration under section 7;

(ii) proposals for increasing or decreasing the pressure of a boiler after inspection under sub-clause (*ii*) of clause (*a*) of the second proviso to sub-section (*5*)of section 8;

(iii) proposals for necessary repairs, structural alterations or renewals to a boiler after inspection under section 8 or 12;

(iv) proposals for revoking, cancelling or refusing to renew certificate under section 14; and

(v) report when boilers have not been properly prepared for inspection under section 14;

(vi) proposals for prosecutions under the Act.

20. **Inspectors declaration**—When an inspection under the Act is completed, the Inspector making it shall prepare a declaration in Form No. B 2 appended to these rules in column 8 of which the limit of the working pressure, in pounds per square inch, shall be clearly noted.

21. **Grant of certificate for the use of boiler**—Upon receipt of the declaration in the office, a certificate authorising the use of the boiler shall be prepared in the Form VI prescribed by regulation. Such certificate shall be signed by the Inspector and the Chief Inspector and shall be delivered to the owner, manager or agent of the steam boiler inspected.

The time for the inspection of boiler shall be between sunrise and sunset.

VI—Accidents.

22. **Investigation of accidents**—On receipt of a report of an accident to a boiler or steam pipe under section 18, the Inspector shall, with the least possible delay, proceed to the place to investigate the accident. If the report is received by the Chief Inspector, he shall forward it at once to the Inspector, within whose jurisdiction the accident has occured, for necessary action.

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23. **Procedure during enquiry**—The Inspector at his enquiry shall make a careful examination of the damaged parts, and shall take such measurements and make such sketches for the purpose of his report, as he may deem necessary. He shall enquire into the circumstances attending the accident and note the time of its occurrence, its nature and extent, the injury caused to persons and the damage done to property.

24. **Power to hold enquiry in writing**—Inspectors shall take the written statements of witnesses and all persons immediately concerned with the accident. In order to comply with the provisions of sub-section (2) of section 18, the Inspector shall present to the owner or person-in-charge of the boiler a series of written questions on all points that are material to the enquiry.

25. **Use of boiler after accident**—The Inspector shall decide whether the use of the boiler can be permitted at the same or at a lower pressure without repairs or pending the completion of any repairs or alterations, that he may order. In no case shall he issue a provisional order or renewal certificate, until his orders have been carried out.

26. **Procedure in case of serious accidents**—The report shall be sent without delay to the Chief Inspector who, if he considers that the investigation has been sufficient, shall record the facts in his register of accidents and shall enter a brief account of the accident in the registration and memorandum of inspection books. If, however, the accident is of a serious nature and in all cases in which an explosion has occurred, the Chief Inspector, on receipt of the report of the Inspector, shall proceed to investigate the accident personally.

27. **Reference in annual report**—A brief account of all accidents, and their causes shall be included in the annual report on the working of the Act.

28. **Unreported accidents**—If in the course of an inspection or at any other time, the Inspector discovers damage which comes within the definition of an accident, but which has not been reported, he shall report the facts at once to the Chief Inspector for action under clause (*d*) of section 24.

VII—Appeals.

29. **Definition of appellate authority**—In this part "appellate authority" means the appellate authority as constituted under section 20 of the Act.

30. **President of appellate authority**—The Provincial Government shall appoint an officer to be the President of the appellate authority for such period as it may deem fit. The President shall be an officer who has exercised or is exercising the powers of a District Judge or District Magistrate.

31. **Panel of Assessors**—The Provincial Government shall constitute a panel of assessors for the purpose of assisting in the hearing of appeals. Assessors shall be competent persons with necessary practical knowledge and experience of steam boilers and prime movers and must be fully qualified Mechanical Engineers.

32. **Constitution of appellate authority**—Whenever the date for the hearing of an appeal before the appellate authority has been fixed, the Chief Inspector shall, under the orders of the President of the appellate authority, arrange for the attendance of at least three members of the panel consituted under rule 31 to act as assessors.

33. **Remuneration of assessors**—An assessors shall receive such remuneration and travelling expenses incurred for any day on which he attends the appellate authority as the Provincial Government may by order direct.

34. **Quorum of appellate authority**—The President and three members shall constitute the quorum of the appellate authority.

35. Every petition of appeal shall be made in writing either in English or in Bengali.

36. **Presentation of appeal**—A petition of appeal may be presented either personally or by registered post to the Chief Inspector.

37. **Form of appeal**—The petition of appeal shall be accompanied by the original order, notice or report appealed against, or by a certified copy thereof; or where no such order, notice, or report has been made in writing, by a clear statement of the facts appealed against, the grounds of appeal, and the relevant section of the Act.

38. **Fixing date for hearing**—On receipt of an appeal, the Chief Inspector shall, if the appeal is to be heard by himself, at once fix a date for hearing the appeal; and if it is to be heard by the appellate authority, obtain a date for the hearing of the appeal from the President of that authority. No delay shall be made in deciding appeals. The decision shall ordinarily be given within fifteen days from the receipt of the petition of appeal.

39. **Procedure before hearing**—When the date for hearing has been fixed, the Chief Inspector shall at once issue a notice to the appellant stating the date for hearing and informing him that if he wishes to be heard in support of the appeal or to produce evidence, he must be present either in person or by authorised agent with his evidence on the date fixed. The notice shall be sent by registered post to such address as shall be entered in the petition of appeal.

40. **Presence of Inspector**—In all appeals the Chief Inspector shall decide whether the presence of the Inspector is necessary, and shall issue orders accordingly.

41. **Attendance of witnesses**—The appellate authority shall have power to secure the attendance of witnesses and to make local enquiries and for this purpose shall exercise the powers of a Court under the provisions of the Code of Civil Procedure, 1908.

42. **Ex-parte decisions**—If the appellant is not present on the date fixed, the appeal may be decided in his absence.

43. **Costs in appeals**—In appeals before the appellate authority the President of the authority shall fix the costs and recover them from the appellant in any case in which the appeal is dismissed. In all cases of appeal in which a local inspection is required by the appellant he shall deposit in advance the full costs of such inspection.

44. **Fees required for certificates granted on appeal**—Any order on appeal authorizing the registering of a boiler or the grant or renewal of a certificate shall be deemed to be subject to the payment of such fees as are prescribed by rules or regulations framed under the Act.

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VIII—Administrative instructions for registration.

45. **Importance of registration**—Inspectors shall carry out the technical instructions for the registration of boilers, as laid down in Chapter IX of the regulations, with the greatest care and precision as the details of measurement recorded at the time of registration constitute a permanent record for the boiler and determine the original pressure at which the boiler is allowed to work.

46. **Receipt of applications**—Applications for registration under sub-section (1) of section 7 shall be made to the Inspector in accordance with the provisions of rule 12. No boiler shall be registered if on measurement the fee is found to be deficient until the deficit has been paid. Any excess payment will be refunded according to rule 6.

47. **Register of registered boilers**—The Chief Inspector shall maintain a register of registered boilers in serial order in Form A in two parts; in Part I (boilers originally registered in the Province) the registered number of a boiler shall be the one immediately following the last serial number in the Register. Gap numbers due to boilers being broken up or transferred to another Province shall not be filled up. In Part II (boilers originally registered in other Province) entries shall be made as prescribed in rule 49.

48. **Procedure of transfer of a boiler**—(1) No boiler shall be moved from one Province to another until permission has been obtained from the Chief Inspector of the Province from where the boiler is to be removed.

(2) Whenever a boiler is transferred from one Province to another, the owner shall, under clause (b) of section 6, apply to the Chief Inspector of the Province to which the Boiler is transferred, for the registration of the transfer; the boiler cannot be used until registration has been effected. The Chief Inspector shall then obtain from that Province the registration book and memorandum of inspection book of the boiler. No fee shall be charged for recording transfer.

49. **Entry of transferred boiler in register**—On receipt of the registration and memorandum of inspection books the Chief Inspector shall enter the boiler under its original number in Part II of his register. The registration book and the memorandum of inspection book shall be kept in the Chief Inspector's office.

50. **Note of transferred and dismanlted boilers**—Whenever a boiler has been transferred to another Province, or broken up, the fact shall be noted in the register.

In the case of a boiler that has been permanently dismantled the registration book and the memorandum of inspection book shall be destroyed.

IX—Administrative instructions for inspection.

51. **Reference to previous inspection**—Inspectors shall carry out the inspection of boilers in accordance with the detailed instructions contained in Chapter IX of the Regulations. The Inspector, previous to an inspection, shall scrutinise the memorandum of inspection book and shall note any entries that may have been made at the last inspection.

52. **Procedure during inspection of boilers of a battery**—Inspectors, when inspecting one boiler of a battery, shall also examine the other boilers under steam, with special reference to the water gauges, pressure gauges and safety valves.

53. **Issue of certificates and provisional orders**—All certificates shall be issued from the head office after being countersigned by the Chief Inspector.

A provisional order shall be issued in each case of registration after the hydraulic test if the Inspector is satisfied. The steam test may be taken at any convenient time within the period of the provisional order, after which, if the test is satisfactory, the certificate under section 7 of the Act shall be issued.

A provisional order shall also be issued after each completed inspection for renewal of the certificate so as to give authority for the use of the boiler pending the issue of the certificate.

The period specified in any certificate or provisional order shall begin on the day following that on which the completed hydraulic test or thorough inspection is made.

54. **Form of provisional orders and certificates**—Provisional orders and certificates shall be issued in Forms V and VI, respectively, prescribed under the Regulations.

FORM A.

[*See* rule 10 (a) of the East Pakistan Boiler Rules, 1961.]

.....BOILER INSPECTION DEPARTMENT.

Register of Boilers.

Registry number.	Type of boiler.	Boiler rating.	Name of manufacturer.	Year and place of construction.	Date of registration.	Name of owner.	Place where in use.	Remarks. (transfers, etc.)
1	2	3	4	5	6	7	8	9

In Part II of the register, column 1 should contain the registry number and letters.

Issued by the Chief Inspector of Boilers East Pakistan. Insignia of East Pakistan Government. Registered No..... Certificate No.....

FORM B.

No. 1.

(*See* rule 12).

APPLICATION FOR THE INSPECTION OF BOILERS AND STEAM PIPES UNDER THE BOILERS ACT, 1923 (ACT V OF 1923).

(*Division I.*)

Registered number of boiler.	Name of owner or agent.	Where situated.	Date of inspection.	Description of boiler and age.
1	2	3	4	5

I hereby submit application to the Inspector of Boilers for inspection of and the grant of a certificate for the boiler abovenamed, together with the Treasury receipt in original obtained on/accepted Book Debit Voucher in original for payment of the prescribed fee specified below.

Dated at.....

Owner or Agent,

This.....day of.....19..

(*Division II*)

(To be sent to owner with application form.)

I certify that the following fees and expenses are payable:—

Boiler number.	Boiler rating.	Fees.	Extra fee for Sunday and holiday inspection and other expenses.	Total.
				$
1	2	3	4	5

N.B.—This form with Division I, duly filled in together with the Treasury receipt in original obtained on/accepted Book Debit Voucher in original for payment of the prescribed fees and expenses specified above, must be forwarded as soon as possible to the office of the Chief Inspector of Boilers, Dacca, in order that the necessary inspection may be made.

Payment of fees by Book Transfer is applicable in the case of Government Departments only.

Dated at Dacca,

This.....day of..... .....19..

Chief Inspector of Boilers, East Pakistan.

(*Division III.*)

No.....

I hereby certify that Rupees.....annas.....
and pies.....have been Deposited in Treasury / accepted for adjustment by Book Transfer.
as per receipt
Debit voucher No. , dated 19 , on account of the inspection of the boiler abovenamed.

Dated at Dacca,
This..... ....day of.....19.....

CASHIER,
Office of the Chief Inspector of Boilers,
East Pakistan.

(*Division IV*)

Scale of fees.

[*See* Regulations 363 and 365 and also rules 4 (*1*) and 5.]

	Annual inspection.	Registration and first inspection under Regulation 365.
	Rs.	Rs.
For boiler rating not exceeding 100 square feet ..	50	100
For boiler rating exceeding 100 square feet but not exceeding 300 square feet	60	120
For boiler rating exceeding 300 square feet but not exceeding 500 square feet	70	140
For boiler rating exceeding 500 square feet but not exceeding 700 square feet	80	160
For boiler rating exceeding 700 square feet but not exceeding 900 square feet	90	180
For boiler rating exceeding 900 square feet but not exceeding 1,100 square feet.	100	200
For boiler rating exceeding 1,100 square feet but not exceeding 2,000 square feet	110	220
For boiler rating exceeding 2,000 square feet but not exceeding 4,000 square feet	120	240
For boiler rating exceeding 4,000 square feet but not exceeding 7,00 square feet	140	280
For boiler rating exceeding 6,000 square feet but not exceeding 8,000 square feet	160	320
For boiler rating exceeding 8,000 square feet but not exceeding 10,000 square feet	180	360
For boiler rating above 10,000 square feet ..	200	400

FORM B.

No. 2.

(*See* rule 20 of the East Pakistan Boiler Rules, 1961.)

DECLARATION OF INSPECTOR.

Registered number of boiler.	Description and material, when and where made.	Repairs and alteration since last inspection.	Purpose for which used.	Boiler rating.
1	2	3	4	5

Date of last hydraulic test and pressure applied.	Date of inspection.	Limit of working pressure of boiler in pounds per square inch.	Date of last hydraulic test of steam pipe.	Remarks.
6	7	8	9	10

I hereby declare, viz.—

(1) That the abovenamed boiler was duly inspected by me on the .....19 , and found to be in accordance with the rules and requirements of the Boiler Act, 1923 (Act V of 1923).

(2) That the boiler with attached steam pipes is in charge of a .....and is not so exposed as to be dangerous.

(3) That the said boiler will, in my judgment, be sufficient for a period of months, at a working pressure, which is on no account to exceed the pressure "per square inch in pounds" stated in column 8 of this for n.

Dated, at.....

This..... .....day of.....19.....

Inspector.

FORM C.

BOILERS ACT, 1923 (ACT OF 1923.)

Notice of examination of boiler under sections 7 and 8.

No. of 19 .

Boiler Inspection Office.

Dated the 19 .

To

.....

.....

.....

In reply to your application, dated , you are hereby informed that boiler registry No. at the abovenamed premises will be thoroughly examined/hydraulically tested by the Government Inspector on the .

To enable the examination to be made, you are bound—

(a) to afford to the Inspector all reasonable facilities for the examination and all such informations as may reasonably be required of you;

(b) to have the boiler properly prepared and ready for examination in the prescribed manner; and

(c) in the case of an application for the registration of a boiler, to provide such drawings, specifications, certificates and other particulars as may be prescribed.

Voucher No. in acknowledgment of Bank/Treasury receipt No. for Rs. accompanies.

Inspector of Boilers.

Preparation for examination.

(*See* Chapter IX of the Regulations)

REGULATIONS 356 and 358.

(A) Preparation for Thorough Inspection.

At every inspection of a boiler for the grant or renewal of a certificate, the boiler shall be empty and thoroughly clean in all its parts. All doors of manholes, handholes and sightholes and cleaning plugs and all caps in the headers and mud-drums of water-tube boilers, all firebars, bearers, front plates, bridge plates, fire-bridges, brick arches, oil fuel burners and mechanical stocker fittings shall be removed. All valves and cocks comprising the boiler mountings shall be opened up and taken apart and the valves and cocks ground, when necessary, before the Inspector's visit.

Provision shall be made for the removal of lagging or brick work or other concealing part and for the drilling of plates, if required by the Inspector, and

for verifying the pressure gauge and safety valve dimensions and weights. All smoke tubes, exterior of water-tubes, smoke boxes, and external flues must be swept clean.

Provision shall be made for the effective disconnection of all steam and hot water communication with any other boilers under steam, as prescribed in Chapter IX of the Regulations. This shall be effected either by the removal of a length of pipe from the steam feed piping or by the insertion of substantial blank flanges. Where blank flanges are employed, they shall be inserted between the flange of the chest and the pipe attached to it. No blank flange shall be inserted between a safety valve chest and the boiler.

Note.—These provisions as to effective disconnection shall extend to every case wherein a person is sent, or with the assent of the owner or person in-charge goes, into a boiler for any purpose (*See* Chapter IX of the Regulations).

(B) Preparation for Hydraulic Test.

The chest of all mountings subject to steam pressure shall be in place and shut tight or blank-flanged. The safety valves shall either be jammed down or removed and the chest-opening blank-flanged. The attachment* for the Inspector's pressure gauge and the nipple† for connecting the Inspector's test pump hose shall be in order. All doors shall be properly jointed and tightened up. The boiler shall be completely filled with water, care being taken to allow all air to escape and, if possible a preliminary test not exceeding the working pressure of the boiler shall be taken before the Inspector's visit to test the tightness of the joints. When a boiler is hydraulically tested for the first time, it shall be entirely cleared of lagging or brickwork; at subsequent tests the lagging or brickwork, or portions thereof, shall be removed if required by the Inspector.

Preparation now required (A), (B).

Note.—The last certificate for the boiler shall be shown to the Inspector.

*Tapped $\frac{3}{4}$" withworth bolt and nut thread.

†Tapped $\frac{1}{8}$" withworth bolt and nut thread.

By order of the Governor,

A. M. SAYEED,

Deputy Secretary to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

1 Ch
2 Ar
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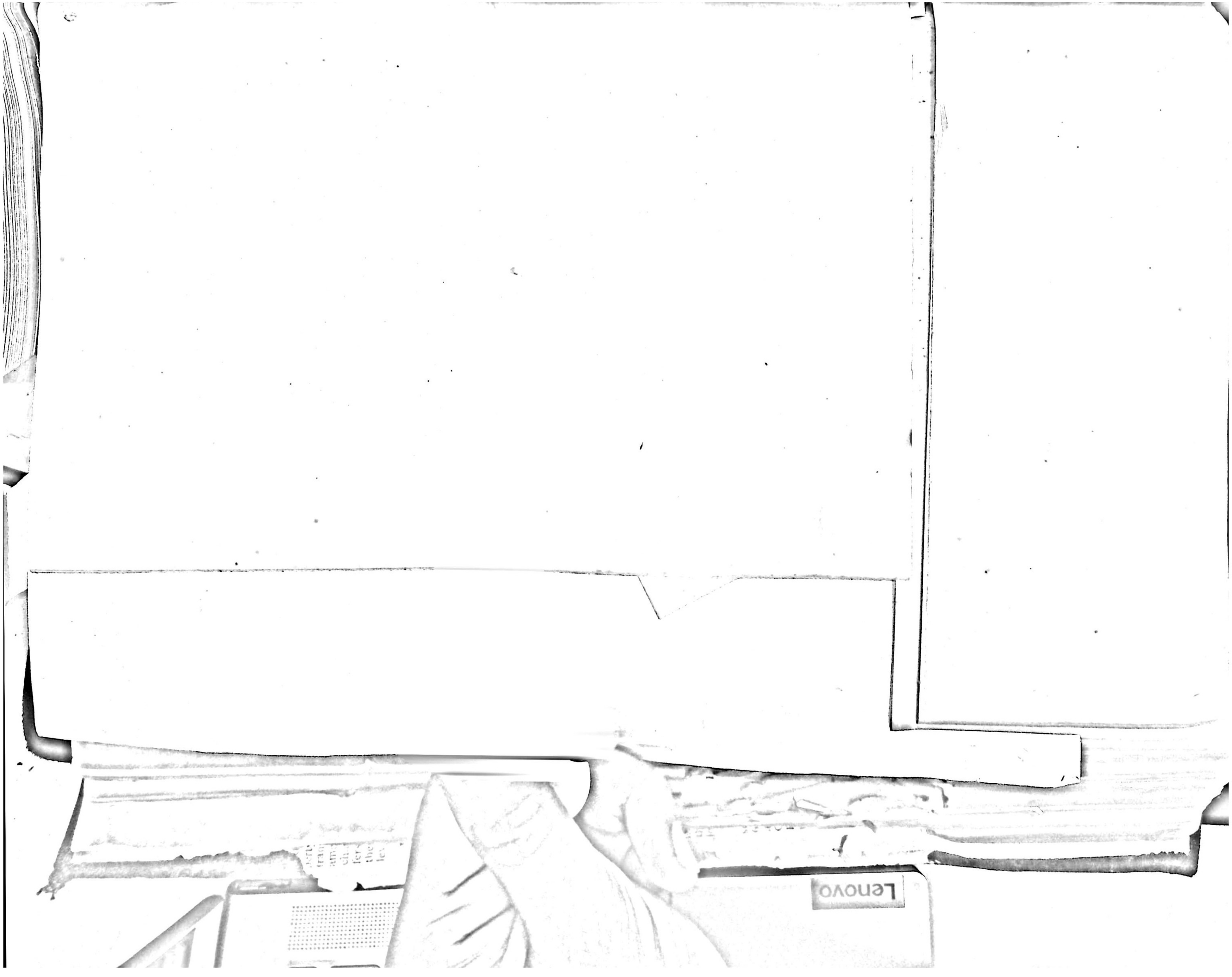
Lenovo

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

WEDNESDAY, NOVEMBER 29, 1961

PART I.—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. 886 FD. (INT.)—24th November 1961—In exercise of the powers conferred by paragraph 3 of the East Pakistan Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1956, the Governor is pleased to declare that each of the areas specified under 'A', 'B', 'C', 'D', 'E', 'F', 'G', and 'H' in the schedule below, shall constitute a zone for the purposes of the said Order for the year, 1961-62.

The Schedule

"A"

(For North Bengal Sugar Mill)

The Zone shall comprise of—

(i) The whole of the police-station of Lalpur in Rajshahi district.

(ii) The following mauzas in the Bagatipara police-station in the district of Rajshahi :

Sl. No.	Name of mauza.	J.L. No.
1	Chak-Bansbaria	103
2	Arazi Jalalpur	104
3	Kalikapore	105
4	Chapapukur	106
5	Karamdashi	110
6	Meri	113
7	Chaipara	114
8	Hapania	115
9	Jamnagar	116
10	Bansbaria	117
11	Jalalpur	118
12	Bajitpur	119
13	Takinagar	149
14	Salainagar	150
15	Panka	151
16	Makupara	152
17	Rampara	153
18	Astikpara	154
19	Salaipara	155
20	Gaopara	156
21	Swarabpur	157
22	Maligachhi	158
23	Chakmahapur	159
24	Pratappar	160
25	Khatkhair	161
26	Nazirpur	162
27	Chitholia	163
28	Dodangi	164
29	Maria	165
30	Rani Drabamayee Farm, under Dayarampur and Nandikuja.	183 and 184
31	Chandrakhair	354

(iii) The following mauzas in the Paba police-station in the district of Rajshahi :

1	Chaubaria	18
2	Gheepara	19
3	Tetulia	21
4	Dharamhata	22
5	Nepalpara	23
6	Sahapur	24
7	Hujuripara	25
8	Sarisakuri	26
9	Karnohar	27
10	Radhanagar	28
11	Mollardaing	29
12	Kadirpur	30
13	Bathanbari	31
14	Batashmolla	32
15	Sarmongla	33
16	Kumriapkur	34
17	Bhimerdaing	35
18	Sitlai	36
19	Alagchhatra	37
20	Asgram	38
21	Madhupur	39
22	Balla	40
23	Gobindapur	41
24	Goalpara	42
25	Haragram	43
26	Moilapara	44

Sl. No.	Name of mauza.	J.L. No.
27	Aliganj	45
28	Bausa	46
29	Terokhada	47
30	Baze-Silinda	48
31	Baraipara	49
32	Khirshan	50
33	Bahara	51
34	Miapur	52
35	Baisbalad	53
36	Pukuria	54
37	Kasiadanga	55
38	Rahi	56
39	Medobari	57
40	Deluabari	58
41	Gossaipur	59
42	Hariserdaing	60
43	Kulpara	61
44	Barbaria	62
45	Bil-Barbaria	63
46	Jhuzkai	64
47	Sitalalpukur	65
48	Bhugrail	66
49	Baraipara	68
50	Bholabari	67
51	Sree Rampur	69
52	Pakuria	70
53	Thalta	71
54	Majhigram	72
55	Daulatpur	73
56	Takipur	74
57	Naohata	75
58	Mahanandakhali	77
59	Duari	78
60	Kanpara	98
61	Kumrapukur	79
62	Chak Goaldaha	99
63	Goaldaha	100
64	Jay Krishnapur	101
65	Panisail	102
66	Maria	103
67	Bhagirathpur	104
68	Birastail	105
69	Sindur Kusumbi	106
70	Baya	107
71	Santoshpur	108
72	Baro Bongram	109
73	Paba	110
74	Kayardara	111
75	Sopura	112
76	Sirail	113
77	Chotto Bongram	114
78	Bhadra	115
79	Jamalpur	116
80	Bagsail	9
81	Motihar	117
82	Keogachhi	118
83	Mirzapur	119
84	Meherchandi	120
85	Maskatadighi	121
86	Hazrapukur	122
87	Mohanpur	123
88	Kismat Kukhandi	124
89	Budhpara	125
90	Kharkharia	126
91	Narikelbaria	127
92	Musrail	128
93	Kechuatail	129
94	Ujirpukur	130
95	Kalumer	131
96	Porapukur	132
97	Lalitahar	133
98	Bamanshikahar	134
99	Champapukur	135
100	Bhalukpukur	136
101	Balanagar	137
102	Panthapara	138
103	Kayara	139
104	Bhabanipur	140
105	Gholharia	141
106	Kapasman	167
107	Siralia	168
108	Chakparila	169
109	Parila	170
110	Taraf Parila	171
111	Ranhat	172
112	Durgapara	173
113	Bazrapur	174
114	Char Haripur	222
115	Kanthalpara	175
116	Sarangpur	176
117	Ramchandrapur	177
118	Kaipukuria	178
119	Terabaria	179
120	Mallikpur	180
121	Kukhandi	181
122	Kaliarpara	182
123	Nalkhola	183
124	Jagir	184
125	Harian	185
126	Rupshidanga	186
127	Sucharan	187
128	Emadpur	188
129	Kapasia	189
130	Samadipur	190
131	Bakhrabad	191
132	Shyampur	192
133	Satbaria	193
134	Dansmari	194
135	Dharampur	195
136	Khojapur	196
137	Kazla	197
138	Nabinagar	213
139	Baharampur	208
140	Asbabpur	214
141	Basuri	215
142	Harupur	216
143	Nabaganga	217
144	Haripur	218
145	Gopalpur	219
146	Madanpur	220
147	Kasba	221
148	Nutan Char Nabaganga	223

(iv) The following mauzas in the Godagari police-station in the district of Rajshahi :

1	Bhugrail	336
2	Deopara	337
3	Gulai	338
4	Dharampur	339
5	Dariapur	340
6	Bil Bhola	356
7	Kanaidanga	357
8	Chakchapal	358
9	Saroil	359
10	Kantapasar	365
11	Kantapasar Kismat	466
12	Chaitanyapur	367
13	Brajaballvhati	368
14	Iswaripur	370
15	Kamdebpur	371
16	Gaurkhai	372
17	Palpur	373
18	Purapara	374
19	Shekhermari	375
20	Dhamila	376
21	Chak Kuharan	377
22	Phulbari	378
23	Ablakpur	379
24	Patharghata	380
25	Madhupur	381
26	Muraripur	262

(v) The following mauzas in the Baraigram police-station in the district of Rajshahi :

1	Kaidimi	25
2	Naopara	26

Sl. No.	Name of mauza.	J.L. No.
3	Balia	... 27
4	Ahamadpur	... 28
5	Kaemkola	... 29
6	Kachuakora	... 30
7	Bri Kanchutia	... 31
8	Khorda Nanda	... 32
9	Khorda Kanchutia	... 33
10	Kumollo	... 34
11	Komordaha	... 35
12	Ramagari	... 36
13	Atghari	... 37
14	Bhabanipur	... 38
15	Sreekandi	... 39
16	Araji Bhabanipur	... 40
17	Khataskole	... 41
18	Kalikapore	... 42
19	Natabaria	... 43
20	Mahisbhanga	... 44
21	Diarpara	... 45
22	Bonpara	... 46
23	Harua	... 47
24	Baimal	... 48
25	Manikpur	... 49
26	Chhantingacha	... 50
27	Nij Guni Hati	... 51
28	Malipara Gunaihati	... 52
29	Atwa	... 53
30	Rathuria	... 54
31	Khetkhair	... 55
32	Tirail	... 56
33	Nayangtadaha	... 57
34	Chak Tiroil	... 58
35	Goalfa	... 65
36	Kella	... 66
37	Mirzapur	... 67
38	Joari	... 68
39	Gurumsail	... 122

(vi) The following mauzas in the police-station of Puthia in the district of Rajshahi :

1	Jagirpara	... 31
2	Bomadi	... 63
3	Banspukuria	... 64
4	Shibpur	... 65
5	Chak Baneswar	... 66
6	Sattaragachhi	... 45
7	Kanthalbaria	... 47
8	Chowbaria	... 58
9	Dhadas	... 67
10	Chak Dhadas	... 68
11	Bil Bansewar	... 69
12	Chak Bhangirpara	... 70
13	Tarash	... 71
14	Ramjibanpur	... 147
15	Mahendra	... 74
16	Swarupnagar	... 75
17	Bharuapara	... 76
18	Kazirpara	... 77
19	Bhangra	... 78
20	Belpukuria	... 79
21	Jamira	... 80
22	Dighalkandi	... 81
23	Namajgaon	... 82
24	Bansewar	... 83
25	Beharipara	... 84
26	Durgapur	... 85
27	Hatinada	... 86
28	Shabazpur	... 87
29	Raghunathpur	... 99
30	Gopalpara	... 106
31	Kaipukuria	... 127
32	Fulkanpara	... 139
33	Kandra	... 140
34	Tarapur	... 141
35	Gopalphati	... 142
36	Krishnapur	... 143
37	Puthia	... 144
38	Baraipara	... 145
39	Pirgachha	... 146
40	Kanthalbaria	... 148
41	Kanaipara	... 149
42	Halhalia	... 150
43	Gandogohali	... 151
44	Dhananjaypara	... 152
45	Dhopapara	... 153
46	Chak Palasi	... 154
47	Basupara	... 161
48	Gopalpara	... 162
49	Basudebpur	... 219
50	Dasmaria	... 155
51	Mohanpur	... 125
52	Palpara	... 133

(vii) The following mauzas in the police-station of Durgapur in the district if Rajshahi :

1	Gourihar	... 41
2	Kalupara	... 42
3	Andwa	... 43
4	Jhalukapara	... 44
5	Bhangirpara	... 72
6	Kuhar	... 73

(viii) The following mauzas in the police-station of Boalia in the district of Rajshahi :

1	Ramchandrapur	... 198
2	Tantipara	... 199
3	Sagarpara	... 200
4	Araji Seroil	... 201
5	Rampur	... 202
6	Boalia	... 203
7	Dargapara	... 204
8	Sree Rampur	... 205
9	Kajihata	... 206
10	Chandipur	... 207
11	Lakshmipur	... 209
12	Mahisbathan	... 210
13	Hilanabad	... 211
14	Keshabpur	... 212

(ix) The following mauzas in the police-station of Charghat in the district of Rajshahi :

1	Belghoria	... 1
2	Sahapur	... 2
3	Mirkamari	... 3
4	Guabasina	... 4
5	Chak Kapasia	... 5
6	Baduria	... 6
7	Gobindapur	... 7
8	Ishabpur	... 8
9	Shibnagar	... 9
10	Moktarpur	... 10
11	Fudkipara	... 11
12	Jaypur	... 12
13	Sreekhandi	... 13
14	Haldigachhi	... 14
15	Jafarpur	... 15
16	Daulatpur	... 16
17	Chamta	... 17
18	Shibpur	... 18
19	Mougachhi	... 19
20	Tararpur	... 20
21	Chak Gochar	... 21
22	Maria	... 22
23	Fatepur	... 23
24	Paitkhali	... 24
25	Kaminigangarampur	... 25
26	Barkatpur	... 26
27	Bejoir	... 27
28	Salua	... 28
29	Bamandighi	... 29
30	Huzurpara	... 30
31	Dharamhata	... 31
32	Simulia	... 32
33	Patiakandi	... 33
34	Khoda Gobindapur	... 34
35	Palashbari	... 35

Sl. No.	Name of mauza.	J.L. No.
36	Jhikra	36
37	Saidpur	37
38	Baliadanga	38
39	Araji Sadipur	39
40	Sarda	40
41	Gorsarpur	41
42	Charghat	42
43	Gopalpur	43
44	Meramatpur	44
45	Miapur	45
46	Anupampur	46
47	Gaopara	47
48	Mungli	48
49	Bamanidaha	49
50	Millik Lakshmipur	50
51	Chandanshar	55
52	Pirojpur	56
53	Lakshmipur	74
54	Mohan Nagar	75
55	Via Lakshmipur	76
56	Faridpur	77
57	Chandnagar	78
58	Bonokishore	79
59	Jahangirabad	80
60	Batikamari	81
61	Chak Krishnapur	82
62	Jot Kartik	83
63	Basupara	84
64	Habibpur	85
65	Bhatpara	86
66	Baladar	87
67	Kharerbari	88
68	Bhatpara Araji	89
69	Mallikmaria	90
70	Nimpara	91
71	Moul Bhag	92
72	Basudevpur	93
73	Ramchandrapur	94
74	Kaloohati	95
75	Chak Singa	96
76	Bharatipara	97
77	Jot Raghu	98
78	Goabari	99
79	Pannapara	100
80	Jagir Gopha	101
81	Dakra	102
82	Tilsipur	106
83	Sonadaha	116
84	Panchpara	117
85	Arani	119
86	Kushabaria	120
87	Gochar	121
88	Hamidkura	122
89	Noornagar	123
90	Berarbari	124
91	Jhina	125
92	Haripur	126
93	Khagarbaria	127
94	Digha	128
95	Amorpur	129
96	Dhandaha	130
97	Basua	131
98	Sarifabad	132
99	Chandipur	138
100	Asrafpur	182
101	Mallik Gaora	52
102	Khorda Bausa	118
103	Paranpur	51
104	Harian	115
105	Hijalpalli	135

(x) The whole mauzas in the police-station of Ishurdi in the district of Pabna :

"B"

(For Setabganj Sugar Mill)

The zone shall comprise of—

(i) The following mauzas in the Bochaganj police-station in the district of Dinajpur :

Sl. No.	Name of mauza.	J.L. No.
1	Nafanagar	60
2	Sultanpur	61
3	Bankati	62
4	Janihari	63
5	Narayanpur	64
6	Sadamahal or Nalkharia	65
7	Dhananjaypur	158
8	Maheshpur	159
9	Dargapara	160
10	Kukradanga	177
11	Sreemantapur	178
12	Gobindapur	179
13	Chandpur	180
14	Rangaon	181
15	Malihara	182
16	Bishnapur	183
17	Mobarakpur	184
18	Kanua	185
19	Bangaon	186
20	Bhandarkhunda	187
21	Chuniapura	188
22	Arangabad	189
23	Sundarpukhoria	190
24	Doulatpur Kismat	191
25	Doulatpur	192
26	Krishnapur	193
27	Parialpur	194
28	Karnai Kismat	195
29	Karai	196
30	Debkhanda	197
31	Puria	198
32	Lakhania	199
33	Chapail	200
34	Parbatipur	201
35	Bashudebpur	202
36	Khantair	203
37	Rampur	204
38	Mushidhil	205
39	Behagaon	206
40	Bharara	207
41	Khachabarihat	208
42	Gopalpur	209
43	Ramdaspara	210
44	Dighariar Dihar	211
45	Godapukur	212
46	Doulatpur Araji	213
47	Ratanda	214
48	Raygaon Ahir	215
49	Tena	216
50	Senihari	217
51	Phutkibari	219
52	Dabaripur	221
53	Dehara	222
54	Kongshatia	223
55	Keralgaon	224
56	Shaspur	241
57	Baira	242
58	Khanpur Kamat	258
59	Khanpur	259
60	Farshapara	260
61	Sankai	261
62	Bara Kuria	262
63	Jamira	263
64	Amat	264
65	Jinor	265
66	Deogaon	266
67	Batason	267
68	Madhabpur	268
69	Krishnapur	269
70	Baira	272

Sl. No.	Name of mauza.	J.L. No.
71	Bath	273
72	Sankor	274
73	Maheshali	275
74	Baraha	276
75	Mahabatpur	277
76	Islampur	278
77	Rampur	279
78	Bharala	280
79	Barsha	282
80	Narayangaon Araji	283
81	Bamangaon	284
82	Muraripur	285
83	Narayangoan	286
84	Dakchai	287
85	Udai Shakua	288
86	Subidhat	289
87	Nakduar	290
88	Dhantola	291
89	Jalgaon	292
90	Harish Chandrapur	293
91	Mohanpur	294
92	Sankhachura	295
93	Narayangoan Araji	296
94	Matizapur	297
95	Maharajpur	298
96	Nandagaon	299
97	Begumgaon	300
98	Chapaitore	301
99	Dugangaon	302
100	Akhapur	303
101	Atagaon	304
102	Lahagaon	305
103	Manikpur	306
104	Mollapara	307
105	Shilet	308
106	Pureya	309
107	Haripur	310
108	Adargaon	311
109	Jalali	312
110	Hati	313
111	Sreepur	314
112	Simandangi	315
113	Alampur	315
114	Kakduar	317
115	Madhabpur	310
116	Bajania	319
117	Monipur	320
118	Muldauar	321
119	Juigaon	322
120	Chhota Balihara	323
121	Doula	324
122	Nehalgaon	325
123	Balihara Bara	326
124	Bishtapur	327
125	Deur	328
126	Maldagaon	329
127	Ghanjaon	330
128	Sikarpur	331
129	Dhodor	332
130	Narayanpur Khurd	334
131	Narayanpur Buzrak	333
132	Anora	335
133	Maheshpur	336
134	Sukdebpur	337
135	Kodal Kati	338
136	Narail	339
137	Satpukur	340
138	Ashurgaon	341
139	Parameswarpur	342
140	Pachpara	344
141	Bamenpara	343
142	Tetara	345
143	Lakshmipur	346
144	Amdua	347
145	Palash Bari	348
146	Joshore	349
147	Bhaduari	350
148	Hajipur	351
149	Borgaon	352
150	Malgaon	353
151	Gongapur	354
152	Barua	355
153	Bondhugaon	356
154	Dakshingaon	357
155	Chengaon	358
156	Belbash	359
157	Belbash Jot	360
158	Ramnagar	361
159	Chapaidanga	362
160	Chhatail	363
161	Rasulpur	364
162	Sankai	365

(ii) The following mauzas in the Pirganj police-station in the district of Dinajpur:

1	Habibpur	30
2	Bandigar	31
3	Ghidob (in the eastern side of Tangon river).	27
4	Salgara	42
5	Saidpur	41
6	Bashvanga	40
7	Kotha Para	37
8	Basantapur	38
9	Kismat Saidpur	39
10	Begonbari	49
11	Deonapara	48
12	Kosha	43
13	Nadhabari	47
14	Harita	50
15	Juktipara	51
16	Innua	53
17	Uttar Madhavpur	54
18	Panihata	46
19	Bhadua	52
20	Ektiarpur	45
21	Kathal Bari	44
22	Bhawanipur	60
23	Bazardeha (in the eastern side of Tangon river).	61
24	Thumnia	59
25	Niamatpur	58
26	Shibpur	57
27	Surjapur	56
28	Majkhuria	55
29	Mohadevpur	160
30	Bridhigaon	154
31	Dakshin Malancha	156
32	Karnai	159
33	Chandaria	161
34	Maheshpur	162
35	Gilabari	163
36	Hatpara	164
37	Dakshin Naopara	165
38	Mohanpur	166
39	Baichuna	167
40	Dopail	168
41	Singair	169
42	Kumaria	170
43	Moadanga	171
44	Jilabad	172
45	Dakshin Madabpur	173
46	Jagannathpur	174
47	Sirall	175
48	Sotha	176
49	Ramachandahar	177
50	Saliapara Bhabanipur	178
51	Indrail	179
52	Beldanga	180
53	Nawadanga	181

(iii) The following mauzas in the Kaharol police-station in the district of Dinajpur:

1	Saidpur	1
2	Dahachi	2
3	Dabar	3
4	Chamdwari	4
5	Dadaia	5

Serial No	Name of mauza.	J.L. No.
6	Teghra	6
7	Sankarpur	7
8	Rukunpur	8
9	Madhabgram	9
10	Telian	10
11	Uttar Nawgaon	11
12	Uttar Maheshpur	12
13	Kanthalbari	13
14	Kashipur	14
15	Ghashiara	15
16	Balea	16
17	Sarishabari	17
18	Khamardigha	18
19	Kusatti	19
20	Bhabanipur	20
21	Sibpur	21
22	Kentpara	23
23	Sadullahpur	24
24	Chakiswar	25
25	Krishnapur	26
26	Sandrai	27
27	Badalipara	28
28	Bhachal	29
29	Birwa	30
30	Hasua	31
31	Sundarban	32
32	Kakar	33
33	Jot Mukundapur	34
34	Guliara	35
35	Kotgaon	36
36	Utrain	37
37	Bara Bamandeora	38
38	Chhota Bamandeora	39
39	Turukdeora	40
40	Baispur	41
41	Sundarpukur	42
42	Syampur	43
43	Pashim Sultanpur	44
44	Singarigaon	45
45	Berali	46
46	Bergaon	47
47	Malihata	48
48	Kamor	49
49	Mirjapur	50
50	Katalia	51
51	Tarala	52
52	Bharanda	53
53	Bashudebpur	54
54	Tarapur	55
55	Parbatipur	56
56	Bangshipur	57
57	Kainagar	58
58	Targaon	59
59	Kusat	60
60	Olan	61
61	Rangaon	62
62	Chichurgaon	63
63	Panigaon	64
64	Sahapur	65
65	Khanta	66
66	Paharpur	67
67	Hatiari	68
68	Chhatail	69
69	Nirmaii	70
70	Bogdair	71
71	Ichhail	72
72	Raypur	73
73	Jakura	74
74	Katna	75
75	Bakharkharia	76
76	Pachaim Mallikpur	77
77	Daulatpur	78
78	Kharchanda	79
79	Gopalpur	80
80	Nijia	81
81	Paikpara	82
82	Khosalpur	83
83	Hatisa	84
84	Banara	85
85	Chandipur	86
86	Nalapur	87
87	Pachimsadipur	88
88	Tarkanda	89
89	Mathurapur	90
90	Baharpur	91
91	Dashin Mahespur	92
92	Rasulpur	93
93	Chak Prankrishna	94
94	Chak Maharam	95
95	Deonaghata	96
96	Uchitpur	97
97	Sundail	98
98	Jayrampur	99
99	Dakshim Naogaon	100
100	Ramchandrapur	101
101	Purba Sultanpur	102
102	Rajuria Mahespur	103
103	Kaji Kanta	104
104	Bala Rampur	105
105	Sahapara	106
106	Ferusha Danga	107
107	Isanpur	108
108	Iswar Gram	109
109	Baribhasha	110
110	Parameshpur	111
111	Boalpatma	112
112	Nodhabari	114
113	Parameshwarpur	115
114	Nayabad	116
115	Mattrabati	117
116	Sarana	118
117	Gouripur	119
118	Pouria	125
119	Boai aha	133
120	Baraputia	137
121	Malgram	138
122	Bagpur	139
123	Murshidpur	140
124	Sundarpur	141
125	Payesh	142
126	Syamgar	148
127	Kantanagar	149

(iv) The following mauzas in the Birganj police-station in the district of Dinajpur:

1	Noapara	23
2	Char Lakshmipur	24
3	Lakshmipur	25
4	Jay Rampur	26
5	Rasulpur	27
6	Mohanpur	28
7	Narthadangi	36
8	Rathinathpur	37
9	Gandara	38
10	Barakala	39
11	Mahugaon	40
12	Chak Mohan	41
13	Delagaon	42
14	Ruhea	43
15	Pundarai	44
16	Bholanathpur	45
17	Noagaon	46
18	Kashipur (East portion)	139
19	Sanka	173
20	Rajipur	174
21	Dakshin Raghunathpur	175
22	Bachharagram	181
23	Chhay Ghari	182
24	Dhulati	183
25	Kushumtari	184
26	Jotbaj	185
27	Jalalpur	185
28	Sengram	187
29	Khamar Madhubanpur	179
30	Madhubanpur	178
31	Bhogdoma	179

(v) The following mauzas in the Khanshama police-station in the district of Dinajpur:

Serial No.	Name of mauza.	J.L. No.
1	Dharmapur	1
2	Atek Jhari	2
3	Jaygaj	3
4	Sajapur	4
5	Chandipur	5
6	Uttar Balapar	6
7	Shushuli	7
8	Dewani Kashim Nagar	8
9	Farida-bad	9
10	Bashuli	10
11	Bishnupur	11
12	Gobindapur	12
13	Jahangirpur	13
14	Sahajpur	14
15	Belpukur	15
16	Khamarpara	16
17	Araji Jahangirpur	17
18	Hassenpur	18
19	Khamar Bishnuganj	19
20	Bherbhery	20
21	Tangua	21
22	Subarna Khali	22
23	Angar Para	23
24	Chattien Garh	24
25	Alokdighi	25
26	Nalbari	26
27	Hashimpur	27
28	Pakerhat	28
29	Araji Jugirhapa	29
30	Bhandardaha	30
31	Chak Shakua	31
32	Chak Rampur	32
33	Baladanga	33
34	Dangapara	34
35	Naula	35
36	Duhasaha	36
37	Dakhin Balapara	37
38	Kayempur	38
39	Jower	39
40	Jugirghapa	40
41	Garpara	41
42	Uttampara	42
43	Ram Nagar	43
44	Deal Goan	44
45	Chak Kanchan	45
46	Kachnia	46
47	Agerah	47
48	Guliara	48
49	Shurigaon	49
50	Chakmia	50
51	Shabek Guliara	51
52	Kawgaon	52
53	Bhabki	53
54	Margaon	54
55	Kumaria	55
56	Gowal Dighi	56
57	Dublia	57

(v) The following mauzas in the Birol police-station in the district of Dinajpur:

Sl. No.	Name of mauza.	J.L. No.
1	Ratigaon	1
2	Dumria	2
3	Jinair	3
4	Bihinagar	4
5	Sankoa	5
6	Mahtabpur	6
7	Chapra	7
8	Baka Pukhuria	8
9	Rudrapur	9
10	Gauripur	10
11	Anantapara	11
12	Sengram	12
13	Balarampur	13
14	Taranja	14
15	Shaiarapur	15
16	Madhupur	16
17	Singal	17
18	Gobindapur	18
19	Fatepur	19
20	Dhamari	20
21	Ramchandra	21
22	Nehaligram	22
23	Harishchandrapur	23
24	Nashugram or Dangapara	24
25	Madhabpur	25
26	Mohonpur	26
27	Araji Mohimpur	27
28	Bishnapur	28
29	Mahtabpur Chak	29
30	Shikarpur	30
31	Taherpur	31
32	Raghunathpur	32
33	Garurgram	33
34	Bajhari	34
35	Gopalpur	35
36	Sijgram	36
37	Gamirgram	37
38	Sengoan	38
39	Rajarampur	39
40	Panchasala	40
41	Dasnagar	41
42	Sengram Kachari	42
43	Sankarpur	43
44	Ganganpur	44
45	Katihari	45
46	Parianpur Patialpur	46
47	Bashudevpur	47
48	Atghora	48
49	Narasinghapara	49
50	Bongram	50
51	Hari Karishnapur	51
52	Mangalpur	52
53	Dhangram	53
54	Maheshpur	54
55	Mastafabad	55
56	Naugaon or Nauapara	56
57	Mutikpur	57
58	Sakhipur	58
59	Rampur	59
60	Darail	60
61	Nijamatpur	61
62	Bashudevpur	62
63	Durgapur	63
64	Lakshmipur	64
65	Chapai	65
66	Nadhabari	66
67	Sahargram	67
68	Nurpur	68
69	Jhikurbari	69
70	Fatehat	70
71	Pashu Rampur	71
72	Sibpur	72
73	Ukra	73
74	Aktia	74
75	Sibrambati	75
76	Bhagatpur	76
77	Akurgaon	77
78	Nona	78
79	Rathmanir or Nauabari	79
80	Nagar Bari	80
81	Pakuria	81
82	Manikara	82
83	Raypur	83
84	Maheshpur	84
85	Khopra	85
86	Gochahar	86
87	Chak Sankar	87
88	Thanthazia	88
89	Ramchandrapur	89
90	Ghausha	90
91	Khosal Chak Araji	91
92	Banandar	92
93	Khosal Chak	93

Serial No.	Name of mauza.	J. L. No.
107	Khamar Jharbari	... 107
108	Auliapur	... 108
109	Maschimpur	... 109
110	Mamudpur	... 110
111	Ulipur	... 111
112	Saidpur	... 112
113	Jogibari	... 113
114	Dakhin Faridpur	... 114
115	Dakshin Ramnagar	... 115
116	Lahitair	... 116
117	Mahish Kotha	... 117
118	Maharampur	... 118
119	Paikpara	... 119
120	Mahabatpur	... 120
121	Kharipara	... 121
122	Ghugu Danga	... 122
123	Gouripur	... 123
124	Muraripur	... 124
125	Nagar Para	... 125
126	Mukundapur	... 126
127	Askarpur	... 127
128	Sundara	... 128
129	Sarasathypur	... 129
130	Modafarpur	... 130
131	Nalahar	... 131
132	Ba'dipukur	... 132
133	Pashim Mohanpur	... 133
134	Tazpur	... 134
135	Mahabatpur	... 135
136	Dakhin Debipur	... 136
137	Dakhin Gobindapur	... 137
138	Raghabpur	... 138
139	Kusumbi	... 139
140	Jamalpur	... 140
141	Sree Chandrapur	... 141
142	Kutar	... 142
143	Dakhin Gobindapur	... 143
144	Naruhar	... 144
145	Makihar	... 145
146	Ratinathpur	... 146
147	Nunsahar	... 147
148	Muradpur	... 148
149	Jotbahabal	... 149
150	Bishmbarpur	... 150
151	Dakhin Sadipur	... 151
152	Nunice	... 152
153	Rajapur	... 153
154	Suiduraly	... 154
155	Ramchandrapur	... 155
156	Maligaon	... 156
157	Dakhin Goshaipur	... 155
158	Gopinathpur	... 158
159	Darail	... 159
160	Achalipur	... 160
161	Parajpur	... 161
162	Sree Krishnapur	... 162
163	Dakhin Harirampur	...163
164	Mahatullapur	... 164
165	Chak Madhu	... 165
166	Kismat Madhabpur	... 166
167	Chougharia	... 167
168	Boutara	... 168
169	Bhabai Nagar	... 169
170	Shashara	... 170
171	Rajapukur	... 171
172	Umar Pail	... 172
173	Japeya	... 173
174	Chak Narayanpur	... 174
175	Mahashait	... 175
176	Chak Rampur	... 176
177	Utrail	... 177
178	Chakparbatipur	... 178
179	Parbatipur	... 179
180	Purba Maheshpur	... 180
181	Sundarpur	... 181
182	Margaon	... 182
183	Pachpukur	... 183
184	Jalalpur	... 184
185	Sankarpur	... 185
186	Narayanpur	... 186
187	Danihari	... 187
188	Gahangachi	... 188
189	Dakhinjaydebpur	189
190	Jayrampur	... 190
191	Danur	... 191
192	Mollapara	... 192
193	Dakhin Maheshpur	... 193
194	Aihai	... 194
195	Baragram	... 195
196	Danapushkarni	... 196
197	Kamalpur	... 197
198	Dakhin Bhabanipur	... 198
199	Dakhin Banghipur	... 199
200	Patlesha	... 200
201	Damodarpur	... 201
202	Manipur	... 202
203	Chak Krishna	... 203
204	Kismat Asaki	... 204
205	Dakhin Durgapur	... 205
206	Juktipara	... 206
207	Rajanagar	... 207
208	Pachpua Araji	... 208
209	Shalki	... 209
210	Pachpua	... 210
211	Baraipur	... 211
212	Parameswarpur	... 213
213	Purba Mohanpur	... 213
214	Chak Gopal	... 214
215	Baltara	... 215
216	Gajaprasad	... 216

(viii) The following mauzas in the Parbatipur police-station in the district of Dinajpur:

1	Sona Pakur	... 1
2	Bagha Chara	... 2
3	Bilai Chandi Kutub	... 3
4	Bilai Chandi	... 4
5	Jagan Nathpur	... 5
6	Kayee Palki	... 6
7	Uttar Hari Rampur	... 7
8	Taj Nagar	... 8
9	Deol	... 9
10	Khora Khai	... 10
11	Chak Krishnapur	... 29
12	Manmathapur	... 30
13	Narayanpur	... 31
14	Raja Bazar	... 32
15	Rampur	... 33
16	Singgi Mari	... 34
17	Raghu Nathpur	... 35
18	Araji Atrai	... 36
19	Bhot Gachi	... 37
20	Khamar Juggannathpur	... 39
21	Parbatipur	... 40
22	Haldi Bari	... 38
23	Darga Para	... 46
24	Uttar Palash Bari	... 47
25	Chak Bonlia	... 48
26	Darga Para	... 49
27	Atrai	... 50
28	Parba Durgapur	... 51
29	Kalikapur	... 52
30	Habra	... 53
31	Chhata Haripur	... 41
32	Jahanabad	... 42
33	Bara Haripur	... 43
34	Bara Chandipur	... 44
35	Kalika Bari	... 45
36	Dakin Salandar	... 77
37	Uttar Salandar	 78
38	Chak Jaidevpur	... 11
39	Nij Chatur	... 12
40	Chait Pukuria	... 13
41	Haibatpur	... 14

Serial No.	Name of mauza.	J. L. No.
42	Chak Deul	15
43	Durgapur	16
44	Purba Hashimpur	17
45	Indrapur	18
46	Chandrapur	19
47	Uttar Bashudevpur	20
48	Mominpur	21
49	Sukdevpur	22
50	Saidpur	23
51	Jaypur	24
52	Madhupur	25
53	Teraanie	26
54	Doania	27
55	Gobindapur	28
56	Juri	76
57	Lal Bilash	79
58	Palipara	80
59	Salbari	81
60	Dubal Gachi	82
61	Praja Baj	67
62	Baradal	68
63	Habibpur	69
64	Osurkot	70
65	Madhabpur	71
66	Arji Narayanpur	72
67	Bara Ramchandrapur	73
68	Faridpur	74
69	Mohapur	75
70	Raypur	83
71	Dandapani	84
72	Kharibari	85
73	Palikapur	86
74	Mostafapur	87
75	Chaksadi Rampur	88
76	Chak Jamini	89
77	Kutabpur	90
78	Ramchandrapur	91
79	Kuriail	92
80	Kashipur	93
81	Kamalpur	94
82	Rahimapur	95
83	Sheranpara	96
84	West Durgapur	97
85	Hariharpur	98
86	Banihari	99
87	Shib Rampur	100
88	Paschim Bajitpur	101
89	Bejai	102
90	Mahadevpur	103
91	Sultanpur	104
92	Debkunda	105
93	Radhanagar	106
94	Chhata Chandipur	107
95	Bhabanipur	54
96	Pirajpur	55
97	Uttar Rasulpur	56
98	Ram Raypur	57
99	Araji Malai	58
100	Dhakula	59
101	Kusalpur	60
102	Chaneshayampur	61
103	Jhinaikuri	62
104	Sankarpur	63
105	Marzai	64
106	Araji Devipur	65
107	Madavpur	66
108	Ramchandrapur	151
109	Ulipur	116
110	Serpur	127
111	Shamser Nagar	108
112	Ganga Prosad	109
113	Kawarpur	110
114	Buzruk Shamser Nagar	111
115	Patakpara	112
116	Kashanpur	113
117	Debipur	114
118	Maheshpur	117
119	Shibnagar	118
120	Jafarpur	119
121	Gopalpur	120
122	Rajarampur	121
123	Bashudevpur	122
124	Bandapur	123
125	Chak Kabir	124
126	Ram Bhadrupur	125
127	Badhipur	126
128	Majedpur	130
129	Laharpur	131
130	Chattar Pukur	132
131	Bagra	133
132	Madhya Sultanpur	134
133	Singara	135
134	Pachim Bajidpur	136
135	Noorpur	137
136	Chak Kewara	138
137	Nal Pukur	139
138	Ishabpur	128
139	Madhya Durgapur	129
140	Mobarakpur	140
141	Rasulpur	141
142	Kalupara	142
143	Shahagram	143
144	Gopaipara	144
145	Balarampur	145
146	Baigram	146
147	Jabar Para	147
148	Daldalia	148
149	Chak Maheshpur	149
150	Pach Gharia	150
151	Paty Gram	151
152	Sheb Krishnapur	152
153	Baidyanathpur	153
154	Bash Pukur	154
155	Chou Hati	155
156	Hamidpur	156
157	Sukdevpur	157
158	Sayestapur	158
159	Khalilpur	159
160	Paschim Sultanpur	164
161	Palika Ghat	165
162	Dakhin Palashban	166
163	Mathurapur	167
164	Dakhin Bishnapur	168
165	Ragha Binadapur	169
166	Purba Hussainpur	160
167	Uttar Bishnapur	161
168	Dakhin Harirampur	162
169	Dalai Kata	163
170	Chamchia	171
171	Khamar Hussainpur	172
172	Khorda Hussainpur	173
173	Lakhi Hussainpur	174
174	Raghabpur	175
175	Purba Rasulpur	176
176	Belghal Sultanpur	177
177	Uttara	178
178	Khagraban	179
179	Madhya Para	180
180	Gurguri	181
181	Kismat	182
182	Pach Pukuria	183
183	Araji Khorda Hussainpur	170

(ix)The following mauzas in the Chirirbandar police-station in the district of Dinajpur:

1	Baikanthapur	1
2	Tetulia	2
3	Gondalgram	3
4	Singa Nagar	4
5	Kusalpur	5
6	Khasna	6
7	Manikbari	7
8	Chakrampur	8
9	Tatnala Jot	9

Serial No.	Name of mauza.	J. L. No.
10	Alokdighi	10
11	Khamar Satnala	11
12	Echamati	12
13	Kismat Nasratpur	13
14	Ranipur	14
15	Galahar	15
16	Chak Gobinda	16
17	Uttar Palash Bari	17
18	Jot Reghu	18
19	Kismat Fatajongpur	19
20	Ferusha Danga	20
21	Chak Ishab	21
22	Fateyjongpur	22
23	Mondalpara	23
24	Bara Hashimpur	24
25	Chak Manik	25
26	Uttar Bhabanipur	26
27	Bajajepara	27
28	Chak Sukdevpur	28
29	Chak Sudan	29
30	Chak Shanashi	30
31	Dagarbari	31
32	Harish Chandrapur	32
33	Jotjandharpur	33
34	Nawkhair	34
35	Uttar Sukdevpur	35
36	Binnakuri	36
37	Dakhin Palashbari	37
38	Jagannathpur	38
39	Purba Saitara	39
40	Paschim Saitara	40
41	Sannair	41
42	Krishnapur	42
43	Indrapara	43
44	Martta Mondal	44
45	Uttar Bholathpur	45
46	Mitrabati	46
47	Majhina	47
48	Araji Golahar	48
49	Basantapur	49
50	Baragaon	50
51	Khulnadanga	51
52	Bhadra	52
53	Galahar	53
54	Ramdevpur	54
55	Gultair	55
56	Bara Baul	56
57	Anlia Pukur	57
58	Jagadishpur	58
59	Chatabaul	59
60	Mahadani	60
61	Chirirbandar	61
62	Dakhin Sukdevpur	62
63	Andhar Muha	63
64	Nandarai	64
65	Nadi Bharat	65
66	Dakhin Nagar	66
67	Ishabpur	67
68	Hariharpur	68
69	Krishnachandrapur	69
70	Yeakubpur	70
71	Digharan	71
72	Mamudpur	72
73	Baze Dighara	73
74	Uttar Hazaratpur	74
75	Rasulpur	75
76	Abdul Pur	76
77	Mahismare	77
78	Faijupur	78
79	Mostafarpur	79
80	Rajapur	80
81	Chota Hashimpur	81
82	Bashudevpur	82
83	Omarpur	83
84	Laxmipur	84
85	Raghunathpur	85
86	Damair	86
87	Bara Shyam Nagar	87
88	Jayaevpur	88
89	Sontoshpara	89
90	Durgapur	90
91	Paikan	91
92	Fu pur	92
93	Paikan Mathurapur	93
94	Kutubpur	94
95	Mathurapur	95
96	Pataikuri	96
97	Jatypur	97
98	Jot Krishnai	98
99	Mahal Bari	99
100	Rampur	100
101	Mukundapur	101
102	Sasarpur	102
103	Naniatikar	103
104	Bajitpur	104
105	Talpukur	105
106	Durgadanga	106
107	Bhail	107
108	Surail	108
109	Dalla	109
110	Dhakail	110
111	Gurgala	111
112	Bijhati	112
113	Palashdangi	113
114	Kherkati	114
115	Dhurail	115
116	Punat	116
117	Tulshipur	117
118	Dakhin Bholanathpur	118
119	Doapur	119
120	Keshabpur	120
121	Haranandapur	121
122	Rajballovpur	122
123	Gobindapur	123
124	Biswanathpur	124
125	Dakhin Bhabanipur	125
126	Patul	126
127	Sendura	127
128	Karanji	128
129	Malayanpur	129
130	Gauripur	130
131	Bagabari	131
132	Bhabki	132
133	Krishnapur Khamar	133
134	Chak Musha	134
135	Sars Shawatipur	135
136	Shahapur	136
137	Tajpur	137
138	Kamalpur	138
139	Brahampur	139
140	Bengdobe	140
141	Sree Krishnapur	141
142	Shibkuri	142
143	Uchitpur	143
144	Dakhin Hajaratpur	144
145	Doulatpur	145

"C"

(For Darsana Sugar Mills.)

The zone shall comprise of—

(i) The following mauzas in the Jibannagar police-station in the district of Kushtia:

1	Uthali	1
2	Ratirampur	2
3	Singnagar	3
4	Rajapur	4
5	Santoshpur	5
6	Madhabkhali	6
7	Dhopakhali	7
8	Kala	8

Serial No.	Name of mauza.	J. L. No.
9	Lakhmipur	... 9
10	Umarpur	... 10
11	Sankhari	... 11
12	Medinipur	... 12
13	Kasha	... 13
14	Gangadasspur	... 20
15	Habibpur	... 21
16	Haripur	... 22
17	Subalpur	... 24
18	Narayanpur	... 25
19	Jubannagar	... 26
20	Protabpur	... 27
21	Raghunandapur	... 28
22	Ghoshnagar	... 29
23	Khayerhuda	... 30
24	Monoharpur	... 31
25	Senerhuda	... 32
26	Mrigamari	... 33
27	Dumuria	... 34
28	Kumirdanga	... 35
29	Dehati	... 36
30	Kashipur	... 37
31	Mingpur	... 38
32	Banka	... 39
33	Tentulia	... 40
34	Pathla	... 41
35	Sonda	... 42
36	Sutia	... 43
37	Shrerampur	... 44
38	Panarhati	... 45
39	Kandarpapur	46
40	Biadanatpur	... 47
41	Hansadaha	... 48
42	Bakanda	... 49
43	Kantapole	... 50
44	Madhabpur	... 51
45	Purandapur	... 52
46	Miktarpur	... 53
47	Kultala	... 54
48	Aundulbaria	... 55
49	Hardaha	... 56
50	Bazdia	... 57
51	Panka	... 58
52	Chak-Sillinda	... 59
53	Sillinda	... 60
54	Sahapur	... 61
55	Karchadanga	... 62
56	Anantapore	... 63
57	Bidyadharpore	... 64
58	Nichintapur	... 65
59	Nidhi Huda	... 66
60	Gughrogachi	... 67
61	Baradi	... 68
62	Raypur	... 69
63	Krishnapur	... 70
64	Marupdaha	... 71

(ii) The following mauzas in the Damurhuda poolice-station in the district of Kushtia:

1	Sibnagar	... 3
2	Munshibpur	... 6
3	Pirpurkulla	... 7
4	Bayra	... 8
5	Kapashdanga	... 9
6	Thakurpur	... 10
7	Sadabaria	... 11
8	Chakulia	... 12
9	Fulbari	... 13
10	Duichitola	... 14
11	Bara Boldia	... 15
12	Choto Boldia	... 16
13	Baradi	... 17
14	Chaighoria	... 18
15	Chhota Kamarpara	... 19
16	Kamarpara	... 20
17	Bejoychandrapur	... 21
18	Sultanpur	... 22
19	Krishnapur	... 23
20	Jirat	... 24
21	Khorda Pratabpur	... 25
22	Mooha	... 26
23	Sarabaria	... 27
24	Chandipur	... 28
25	Kurulgachi	... 29
26	Durgapur	... 30
27	Baghadanga	... 31
28	Mutarpur	... 32
29	Kamorpur	... 33
30	Uttar Chandpur	... 34
31	Kanaidanga	... 35
32	Chandrabash	... 36
33	Charulia	... 37
34	Berbari	... 42
35	Hematpur	... 43
36	Hatibhanga	... 44
37	Hogaldanga	... 45
38	Gayespur	... 46
39	Laxmipur	... 47
40	Gopalpur	... 52
41	Kalabari	... 53
42	Ibrahimpur	... 54
43	Bishnupur	... 55
44	Juranpur	... 56
45	Chitla	... 57
46	Gobindahuda	... 58
47	Badanpur	... 59
48	Caulia (Dewly)	... 60
49	Houli	... 61
50	Dasami	... 62
51	Damurhuda	... 63
52	Purapara	... 64
53	Kosaghata	... 65
54	Ujirpur	... 66
55	Gaidghat	... 67
56	Joyrampur	... 68
57	Bastupur	... 69
58	Patachora	... 70
59	Raghunathpur	... 71
60	Loknathpur	... 72
61	Dudpatila	... 73
62	Dakshin-Ramnagar	... 74
63	Shyampur	... 75
64	Joynagar	... 76
65	Haibotpur	... 77
66	Dakshin Chandpur	... 78

(iii) The following mauzas in the Chuadanga police-station in the district of Kushtia :

1	Aluikdia	... 1
2	Taltala	... 2
3	Manirampur	... 3
4	Pirpur	... 4
5	Bhimrulla	... 5
6	Hat Kaluganj	... 6
7	Buzrukgargari	... 7
8	Sumirdia	... 8
9	Belgachi	... 9
10	Garabaria	... 10
11	Dinanathpur	... 11
12	Makhaldanga	... 12
13	Kukia Chandpur	... 13
14	Ukta	... 14
15	Dosta	... 15
16	Kundipur	... 16
17	Nehalpur	... 17
18	Hizalgari	... 18
19	Dehi	... 19
20	Ranghail	... 20
21	Krishnapur	... 21
22	Ujalpur	... 22
23	Akandabaria	... 23
24	Bhowanipur	... 24
25	Rangiarpota	... 25
26	Sailmari	... 26

Serial No.	Name of mauza.	J. L. No.
27	Fursetpur	27
28	Darsana	28
29	Kotali	29
30	Chhota Salua	30
31	Boldia	31
32	Boalia	32
33	Sreekola	33
34	Jalsuka	34
35	Sankarchandra	35
36	Manikdehi	36
37	Hanur-Baradi	37
38	Haidarpur	38
39	Jafarpur	39
40	Thakurpur	40
41	Noor-Nagar	41
42	Chuadanga	42
43	Hazrahati	43
44	Boalmari	44
45	Serajkandi	45
46	Sarisadanga	46
47	Kathuli	47
48	Digri	48
49	Chandpur	49
50	Kulchara	50
51	Gopinathpur	51
52	Gopalnagar	52
53	Khezura	53
54	Naforkandi	54
55	Hogaldanga	55
56	Aliarmagar-Baliakandi	56
57	Subdhi	57
58	Basu-bhandardaha	58
59	Chhaighoria	59
60	Fulbaria	60
61	Barasalua	61
62	Aria	62
63	Bara Aria	63
64	Begumpur	64
65	Jadupur	65
66	Jhanjri	66
67	Chandpur	67
68	Goborgara	68
69	Bara Aria Chak	69
70	Nurullapur	70
71	Girishnagar	71
72	Tetudaha	72
73	Bhandardaha	76
74	Jugirhuda	77
75	Shahapur	80
76	Burapara	81
77	Chandipur	82
78	Dhuturhat	83
79	Goraitopi	95
80	Gaherpur	96
81	Batikadanga	97
82	Suzatpur	98
83	Sarabaria	99

(iv) The following mauzas in the Alamdanga police-station in the district of Kushtia :

1	Bansberia	5
2	Bogail	7
3	Bagadi	8
4	Shahebpur	9
5	Bandarbhita	14
6	Ramnagar	15
7	Fulbagadi	16
8	Gangni	17
9	Chitlia	22
10	Aindipur	23
11	Shibpur	24
12	Kulchara	25
13	Dilsadpur	26
14	Khadempur	27
15	Batiapara	28
16	Mazhad	29
17	Purba-Kamalapur	30
18	Khudiakahali	32
19	Krishnapur	33
20	Lakshmipur	34
21	Ramgpur	35
22	Panchim-Kamalapur	36
23	Gopalnagar	37
24	Nimtala	38
25	Jugirhuda	39
26	Ramchandrapur	40
27	Goalbari	41
28	Radhakantapur	42
29	Sonatanpur	43
30	Madarhuda	44
31	Par-Durgapur	45
32	Bandabil	46
33	Chak-bandabil	47
34	Shyampur	48
35	Digaldanga	49
36	Durlabhpur	50
37	Enayetpur	52
38	Bharadi	53
39	Natidanga	54
40	Annupnagar	55
41	Fatehpur	56
42	Chak-Baradi	57
43	Poltadanga	58
44	Katabhanga	59
45	Udoypur	60
46	Sekhpara	61
47	Dashpara	62
48	Uttar-Laksmipur	65
49	Osmanpur	67
50	Hardi	68
51	Jadabpur	69
52	Kumri	70
53	Kamalpur	71
54	Gobindapur	72
55	Bakshipur	74
56	Madhabpur	75
57	Maju	76
58	Chhatrapara	77
59	Dawaki	78
60	Belgachi	79
61	Faridpur	80
62	Roakuli	81
63	Jehala	82
64	Gorchapra	83
65	Putimari	84
66	Gargari	85
67	Dakhin-Gobindapur	86
68	Nagdaha	87
69	Baliarpur	88
70	Sonatanpur	89
71	Chhaghoria	90
72	Bakeswarpur	91
73	Harokondi	92
74	Khas-Bagunda	93
75	Burapara	94
76	Chak-Bagunda	95
77	Gholdari	96
78	Paikpara	97
79	Jahanpur	98
80	Beguarkhal	99
81	Charpara	100
82	Panchlia	102
83	Jamjami	103
84	Raghunathpur	104
85	Madhupur	106
86	Ailhas	119
87	Bilchkila	123
88	Salika	10
89	Nandabar	13
90	Choto Gangni	18
91	Betbaria	31

(v) The following mauzas in the Mirpur police-station in the district of Kushtia :

1	Lakshmidhardiar	1
2	Nilgram	2

Sl. No.	Name of mauza.	J.L. No.
3	Azmatpur	3
4	Baria	4
5	Nanisnak Khola	6
6	Dhubail	7
7	Singpur	8
8	Gopalpur	9
9	Sultanpur	10
10	Gobindagunia	11
11	Bahalbaria	12
12	Kharara	13
13	Khadimpur	14
14	Kakda-Kirtinagar	15
15	Bisal Chandi	16
16	Ghoramara	18
17	Mirzanagar	19
18	Gopalpur	20
19	Ranakhari	21
20	Talbaria	22
21	Samukhia	23
22	Dakshin-Talbaria	24
23	Charulia	25
24	Matiapara	26
25	Gobindapur	27
26	Kalyanpur	28
27	Bibhag	29
28	Baruipara	30
29	Ektiarpur-Tatibanda	31
30	Monsan	32
31	Dhipahati	33
32	Boldiapara	34
33	Amkathalia	35
34	Nowapara	36
35	Jugipol	37
36	Khandakbaria	38
37	Purana Nowapara	39
38	Mirpur	40
39	Kiuripol-Bijnagar	41
40	Paharpur	42
41	Chitalia	43
42	Bil-Anla	45
43	Kanchubaria	46
44	Anjangachi	47
45	Tilkandara	48
46	Kamirhat	49
47	Simulia-Fulbaria	50
48	Chunipara	51
49	Gourdaha	52
50	Keopur	53
51	Hazrahati	54
52	Belgachi	55
53	Sarabaria	56
54	Mosarafpur	57
55	Kalabaria	58
56	Ahammadpur	59
57	Dangapara-Teghoria	60
58	Bolia-Shisha	61
59	Sugandhi	62
60	Chithla-Khayerchara	63
61	Sudhirajpur	64
62	Nischintapur	65
63	Durgapur	67
64	Serotia Mohanpur	68
65	Chhatiam	69
66	Atigram	70
67	Payri	71
68	Dholsa	72
69	Kushbaria	73
70	Khayerpur	74
71	Amla	75
72	Guabari	76
73	Sadarpur	77
74	Kathlamari	78
75	Barabaria	79
76	Abari	80
77	Char-Pragpur	86
78	Magura	87
79	Malihad	88
80	Fulbari	89
81	Gopinathpur	90
82	Hardir-Chak	91
83	Sura	92
84	Charbazitpur	93
85	Sokcha	94
86	Pirkula	95
87	Sutali	97
88	Kursha	98
89	Banshbaria-Ramnagar	99
90	Chak	100
91	Srirampur	101
92	Kakuliadoha	102
93	Azampur	103
94	Burapara	104
95	Mitan	105
96	Sondha	106
97	Mazihat	107
98	Kamardanga	108
99	Sarupdiha	109
100	Katdoha	110
101	Poradaha	111
102	Khalmagura	112
103	Katdoha-Char	113
104	Nagarbanka	114
105	Mohammadpur	115
106	Dakshin-Srirampur	116
107	Halsa	117
108	Panchbaria	118
109	Ambaria-Mirzapur	119
110	Paikpara	120
111	Jagannathpur	121
112	Kalidaspur	122
113	Asannagar	123

(vi) The following mauzas in the Kushtia police-station in the district of Kushtia :

1	Kachuadoma	2
2	Mahanagar	4
3	Sukdebpur	5
4	Khas-Joyanpur	6
5	Chuapara	7
6	Raghunathpur	12
7	Cantinagar	13
8	Saldah-Arazi	15
9	Puraton-Kushtia	16
10	Hatosh-Haripur	17
11	Saldah	18
12	Gopinathpur	19
13	Alokdia	21
14	Barkhada	22
15	Jogia	23
16	Managalbaria	24
17	Harekrishnapur	25
18	Baradi	26
19	Minapara	27
20	Dhaka-Jhalupara	28
21	Fulbari	29
22	Chechua	30
23	Jagati	31
24	Chourhash	32
25	Majampur	33
26	Bahadurkhali	34
27	Kalisankarpur	35
28	Rahini	36
29	Nagar-Mohammadpur	37
30	Mollateghoria	38
31	Hororc	39
32	Kumargara	40
33	Battail	41
34	Baria-Takimpara	42
35	Metan	43
36	Jagannathpur	44
37	Noorpur	45
38	Jiarakhi	46
39	Khulapur	47
40	Bangaitala	48
41	Kanchanpur	49
42	Belghoria	50

Sl. No.	Name of mauza.	J.L. No.
43	Swastipur	... 51
44	Noapara	... 52
45	Simulia	... 53
46	Kaburhat	... 54
47	Bara-Ailchara	... 55
48	Nalkola	... 56
49	Khejurtola	... 57
50	Daoaribhita	... 58
51	Kaleail	... 59
52	Gopalpur	... 60
53	Nazirpur-Khorda	... 61
54	Dhakula	... 62
55	Chopol Gachi	... 63
56	Alampur	... 64
57	Nandia	... 66
58	Majila	... 67
59	Fakiraba	... 68
60	Paitkabari	... 69
61	Uttar-Magura	... 70
62	Shasha-Dhama	... 71
63	Dakshin-Magura	... 72
64	Gosai-Durgapur	... 73
65	Gangdhi	... 74
66	Karimpur	... 75
67	Natna	... 76
68	Narahardiar	... 77
69	Sankerdia	... 87
70	Arpara	... 88
71	Bamangram	... 89
72	Digha	... 91
73	Haruria	... 92
74	Chhadimpara	... 93
75	Jhawdia	... 95
76	Majpara	... 96
77	Boaldaha	... 124
78	Char Natna	... 127

(vii) The following mauzas in the Bheramara police-station in the district of Kushtia :

1	Baita	... 1
2	Basudabpur	... 2
3	Char-Galapnagar	... 5
4	Bahadurpur	... 6
5	Madhabpur	... 7
6	Arkandi	... 8
7	Megnapara	... 9
8	Fayazullapur	... 10
9	Haripur	... 11
10	Juniadaha	... 12
11	Daulatpur	... 13
12	Thakur-Daulatpur	... 14
13	Gopalnagar	... 15
14	Fakirabad	... 16
15	Jhikri-Parankhali	... 17
16	Mirjapur	... 18
17	Dalua	... 19
18	Gobindapur	... 20
19	Nalua	... 21
20	Jagaswar	... 22
21	Paschima	... 23
22	Nabaganga	... 24
23	Patuakandi	... 25
24	Kazihati	... 26
25	Dharampur	... 27
26	Mokarimpur	... 28
27	Damukdia	... 29
28	Chak-Bhairamara	... 30
29	Nowdapara	... 31
30	Bheramara	... 32
31	Bamanpara	... 33
32	Kodalipara	... 34
33	Satbaria	... 35
34	Nitarpol	... 36
35	Hirimdia	... 38
36	Chandipur	... 39
37	Chandgram	... 40
38	Baradi	... 41
39	Char-Mokarimpur	... 165
40	Bahir-Char-Paschim	... 166
41	Arazi-Sara	... 167
42	Char-Ruppur	... 168

(viii) The following mauzas in the Daulatpur police-station in the district of Kushtia :

1	Maricha	... 18
2	Koldiar	... 19
3	Mojhdiar	... 20
4	Char-Niamatpur	... 22
5	Baliadoba	... 23
6	Char-Juniadaha	... 47
7	Tajpur	... 48
8	Chamnai	... 49
9	Haludbaria	... 50
10	Joybhoga	... 51
11	Amdaha	... 75
12	Madia	... 76
13	Bil-Panchbila	... 77
14	Ramnagar	... 78
15	Kazipur	... 79
16	Kamalpur	... 80
17	Rajapur	... 118
18	Bairagirchar	... 124
19	Nutan Char No. 1	... 126
20	Karari Jot Asai	... 127
21	Khas Mohal Jot Asai	... 128
22	Fatteypur Pallsy	... 129
23	Karai Nawsara	... 130
24	Khamar Chauhaddi	... 131
25	Sekandarpur (Chaipara)	... 133
26	Nutan Char No. 2	... 134
27	Mullk Chandpur	... 135
28	Chawdda Hazar	... 136
29	Khas Mahal Nutan Char	... 137
30	Nadi Bharati Katlamari	... 138
31	Katlamari	... 139
32	Chakla Benodepur	... 140
33	Kalidaspur	... 103
34	Talbaria	... 104

(ix) The following mauzas in the Kumarkhali police-station in the district of Kushtia :

1	Baniapara	... 1
2	Ghorai	... 2
3	Gatla	... 3
4	Mirpur North	... 17
5	Sawria	... 43

(x) The following mauzas in the Jessore police-station in the district of Jessore :

1	Baliaghata	... 1
2	Tirerhat	... 2
3	Kadirpore	... 3
4	Sahabazpore	... 4
5	Enayetpore	... 5
6	Nischintapore	... 6
7	Gobila	... 7
8	Kamlapore	... 8
9	Bhagatpore	... 9
10	Sajiali	... 10
11	Jagahati	... 11
12	Dogachia	... 12
13	Asannagar	... 13
14	Bagdanga	... 15
15	Churamankati	... 16
16	Satiantala	... 17
17	Khitibdia	... 18
18	Monohorpur	... 19
19	Badiatola	... 20
20	Jhawdia	... 21
21	Chandantia	... 22
22	Arizpore	... 23
23	Halsa	... 24
24	Buk Banar Sagar	... 25
25	Faridpur	... 26
26	Banshbaria	... 27

Sl. No.	Name of mauza.	J.L. No.
27	Alamnagar	... 28
28	Mathibari	... 29
29	Ishapore	... 30
30	Arazi-Ahmedabad	... 35
31	Silimpore	... 36
32	Arabpur	... 94
33	Daulatpore	... 95
34	Khayerpore	... 96
35	Madhghopa	... 97
36	Santola	... 98
37	T. Nurpur	... 99
38	Dakatia	... 100
39	Nawdagram	... 101
40	Pagladaha	... 102
41	Birampur	... 103
42	Kismat Noapara	... 104
43	Sheikhhati	... 105
44	Bahadurpur	... 106
45	Madhugram	... 107
46	Bolepore	... 108
47	Jote-Kunjapore	... 109
48	Panchbaria	... 110
49	Kashempore	... 111
50	Dehi-Kunjapur	... 112
51	Bijoynagar	... 113
52	Chona	... 114
53	Khajurhat	... 115
54	Mikhapur	... 116
55	Daulatdehi	... 117
56	Sote-Haibatpore	... 118
57	Bara-Haibatpore	... 119
58	Manikdehi	... 120
59	Mathurapur	... 121
60	Samashpore	... 122
61	Muradgar	... 123
62	Rahmatpore	... 124
63	Kauidia	... 125
64	Natuagram	... 126
65	Laukhali	... 127
66	Bhagalpore	... 128
67	Rasulpore	... 129
68	Utter Lalita Daha	... 131
69	Lalitadaha	... 132
70	Doharpara	... 133
71	Shyamnagar	... 134
72	Kefayetnagar	... 135
73	Bahalnagar	... 136
74	Salta	... 137
75	Kismat-Enayetpore	... 138
76	Saraidanga	... 139
77	Osmanpore	... 140
78	Hapania	... 141
79	Fulbari	... 142
80	Birnarayanpore	... 143
81	Baro Laukhali	... 144
82	Dalia Huda	... 145
83	Haibatpur	... 146
84	Kismat Haibatpore	... 147
85	Joradaha	... 148
86	Andulpota	... 149
87	Baleswarpur	... 150
88	Paranpore	... 151
89	Katamara	... 152
90	Dalan Nagar	... 153
91	Rajapore	... 167
92	Kodalia	... 168
93	Nangorepore	... 169
94	Jagannathpur	... 170
95	Mathurapur	... 171
96	Monohorpur	... 177
97	Enayetpur	... 178
98	Rahilapur	... 179
99	Hashimpore	... 180
100	Baliadanga	... 181
101	Arpara	... 182

(xi) The following mauzas in the Kotchandpur police-station in the district of Jessore :

Sl. No.	Name of mauza.	J.L. No.
1	Chuadanga	... 2
2	Dhapabila	... 3
3	Laxmipore	... 4
4	Bhomradanga	... 5
5	Dayarampore	... 6
6	Mallikpore	... 7
7	Sibnagar-Bangalipara	... 8
8	Rudrapore	... 9
9	Sarulia	... 10
10	Panchlia	... 11
11	Anodpara	... 12
12	Dara	... 13
13	Gorsuti	... 14
14	Bhagbanpur	... 15
15	Srirampur	... 16
16	Chhaykhada	... 17
17	Suadi	... 18
18	Mandarbaria	... 19
19	Manikdia	... 20
20	Dutiarkathi	... 21
21	Kanyanagar	... 22
22	Safdalpore	... 23
23	Balidanga	... 24
24	Sailkopa	... 25
25	Rajapore	... 26
26	Bahirgachi	... 27
27	Manunsia	... 28
28	Kamarkundu	... 29
29	Sherkhali	... 30
30	Alukdia	... 31
31	Harindi	... 32
32	Bidyadharpur	... 33
33	Baluhar	... 34
34	Ramchandrapur	... 35
35	Joydia-Laxmikundu	... 36
36	Balarampur	... 37
37	Chaturpur	... 38
38	Gobindapur	... 39
39	Singia	... 40
40	Kagmari	... 42
41	Bhabanipore	... 43
42	Jagannathpur	... 44
43	Dudsara	... 45
44	Kotchandpur	... 46
45	Portlart	... 47
46	Fulbari	... 48
47	Mohanpore	... 49
48	Kushna	... 50
49	Talsar	... 51
50	Ghaga	... 52
51	Jalalpore	... 53
52	Brahmapore	... 54
53	Erenda	... 55
54	Raghunathpur	... 56
55	Galimpore	... 57
56	Bakshipore	... 58
57	Murutia	... 59
58	Balarampore	... 60
59	Barabamundia	... 61
60	Baxebamanda	... 62
61	Salemanpore	... 63
62	Pashpatila	... 64
63	Bagdanga	... 65
64	Mangalpara	... 66
65	Balabaria	... 67
66	Elangi	... 68
67	Rangiarpota	... 69
68	Jagadishpore	... 70
69	Chandpara	... 71
70	Kanthalia	... 72
71	Sisharkunda	... 73
72	Ashannagar	... 74

Sl. No.	Name of mauza.	J.L. No.
73	Gurpara	... 75
74	Khorda-Ikratalina	... 77
75	Arazigama	... 78
76	Kellagachhi	... 79
77	Fazilpore	... 80
78	Ikra	... 81
79	Theghori Kalagachi	... 1
80	Talina	... 76

(xii) The following mauzas in the Maheshpore police-station in the district of Jessore:

1	Bazrapore	... 148
2	Sahabazpur	... 140
3	Kankiladari	... 150
4	Sundarpure	... 151
5	Adampur	... 180
6	Bidyadharpur	... 181
7	Maladharpur	... 182
8	Alampur	... 183
9	Gourinathpur	... 184
10	Azampur	... 152

(xiii) The following mauzas in the Kaliganj police-station in the district of Jessore:

1	Kalukhali	... 1
2	Kadirkola	... 2
3	Singdaha	... 3
4	Kamalapore	.. 4
5	Kumurtala	... 5
6	Sundarpore	... 6
7	Durgapore	... 7
8	Mahadevpore	... 8
9	Bejpara	.. 9
10	Bhatpara	... 10
11	Kaulipur	... 11
12	Gunjanagar	... 12
13	Kashima	... 13
14	Paikpara	... 14
15	Kheyertala	... 15
16	Bankulia	... 16
17	Kaliganj	... 17
18	Sreerampore	... 18
19	Alaipore	... 19
20	Sreerampore	... 20
21	Madhupore	... 21
22	Ektarpore	... 22
23	Sundarpore	... 23
24	Chandhra	... 24
25	Amzatnagar	... 25
26	Chanchra	... 26
27	Shibnagar	... 27
28	Arpara	... 28
29	Fayela	... 29
30	Ghoshnagar	... 30
31	Neamatpore	... 31
32	Mahisadova	... 32
33	Shalikha	... 33
34	Helai	... 34
35	Baroraigram	... 35
36	Nischintapore	... 36
37	Ishaba	... 37
38	Rokanpore	... 38
39	Chota-Simla	... 39
40	Bro-Simla	... 40
41	Pathilla	... 41
42	Ghighati	... 42
43	Baliadanga	... 43
44	Gopinathpore	... 44
45	Sherpore	... 45
46	Choto-Chigati	... 46
47	Trilochanpur	... 47
48	Dadpur	... 49
49	Chakla	... 50
50	Kamorpur	... 51
51	Sarupur	... 52
52	Fakirabad	... 53
53	Hakimpore	... 54

Sl. No.	Name of mauza.	J.L. No.
54	Tazbizpur	... 56
55	Arajigulanpur	... 57
56	Arajidasipur	... 58
57	Bakshipore	... 59
58	Dabpur	... 60
59	Matanchar	... 61
60	Hazipur	... 62
61	Jatrapur	... 63
62	Hasanhati	... 64
63	Sanbandha	... 66
64	Benuria	... 67
65	Tilla	... 68
66	Pakuria	... 69
67	Babra	... 70
68	Khamarmundia	.. 71
69	Ulal Mundia	... 72
70	Khorda-Raigram	... 73
71	Bazruk Nadia	... 74
72	Dayapur	... 75
73	Magur-Khidda	... 76
74	Sigia	... 77
75	Tarashpur	... 78
76	Baruipara	... 79
77	Dadna	... 80
78	Mostabpur	... 81
79	Hari-Gobindapur	... 82
80	Maheschanda	... 83
81	Balarampur	... 84
82	Baruipara	... 85
83	Bara-Pakhia	... 86
84	Tilakpur	... 87
85	Khamrail	... 88
86	Ghutiahi	... 89
87	Dudhrajpur	... 90
88	Gopalpur	... 91
89	Bhater Bhatpara	... 92
90	Bagdanga	... 93
91	Khenjapur	... 95
92	Kabilpur	... 96
93	Tilla	... 97
94	Hudadati	... 98
95	B. Duti	... 100
96	Makalberia	... 108
97	Parkholoa	... 109
98	Kamat Hat	... 113
99	Binodepore	... 114
100	Keta	... 115
101	Ragunathpur	... 116
102	Bhilpara	... 117
103	Kadirdanga	... 118
104	Daulatpore	... 119
105	Malikpore	... 120
106	Balakandar	... 121
107	Nagar Chaprail	... 122
108	Chaprail	... 123
109	Arab Salu	... 124
110	Anupnagar	... 125
111	Gonerail	... 126
112	Khatghora	... 127
113	Joterpara	... 128
114	Raghunathpur	... 129
115	Agmundia	... 130
116	Haziper Mundia	... 131
117	Manaharpur	... 132
118	Kullapara	... 133
119	B. Kullapara	... 134
120	Subejpur	... 135
121	Mollakoa	... 136
122	Bahirgachi	... 137
123	Mandarbaria	... 138
124	Chandpara	... 140
125	B. Dhopadi	... 141
126	Dhopadi	... 142
127	Nalbhanga	... 143
128	Bokanpore	... 144
129	Molladanga	... 145
130	Begergacha	... 146
131	Noadhi	... 147
132	Enayetpur	... 148

Sl. No.	Name of mauza.	J.L. No.
133	Khosalpore	... 149
134	Tentulbaria	... 150
135	Satgachia	... 151
136	Kamarhati	... 152
137	Mathonpore	... 153
138	Rampore	... 154
139	Debrajpore	... 155
140	Gourinathpur	... 156
141	Keshbhanga	... 157
142	Jhanjhania	... 158
143	Mushila	... 159
144	Hasilbagh	... 160
145	Sadikpore	... 161
146	Barobazar	... 162
147	B. Daulatpore	... 163
148	Pirozpore	... 164
149	Ektarpore	... 165
150	Baro Khirda	... 167
151	Saitharia	... 168
152	Botholi	... 169
153	Mirazapore	... 170
154	Khaikadanga	... 171
155	Rakra	... 172
156	Raripara	... 179
157	Maliat	... 180
158	Tallipore	... 181
159	Khayeja Panch	... 182
160	Paranabandi	... 183
161	Parkrishnadaha	... 184
162	Mangalpatia	... 185
163	Ariakhali	... 186
164	Sonalidanga	... 187
165	Badurgachi	... 188
166	Thikdanga	... 189
167	Badedihi	... 190
168	Mitha Pukuria	... 191
169	Fulbaria	... 192
170	Mahisahati	... 193
171	Gram Masdia	... 195
172	Subarna Saria	... 196
173	Lokchia	... 197
174	Jagannathpur	... 198
175	Barpha	... 199
176	Magura	... 200
177	Chamulia	... 201
178	Sasharpore	... 202
179	Dhala	... 48
180	Taherpur	... 55
181	Chandrapur	... 65
182	Kakles	... 94

(xiv) Mauzas Ganna (J. L. No. 187) in the Jhenaidah police-station in the district of Jessore, Aliganj.

1	Gobindapur	... 2
2	Chorkol	... 10
3	Oaria	... 12
4	Sreepur	... 13
5	Dakhin Ramnagar	... 88
6	Khamarail	... 89
7	Kulbaria	... 91
8	Mudhabpur	... 86

"D"

(For Kishoreganj Sugar Mill)

The zone shall comprise of—

(i) The whole of Kishoreganj police-station in the district of Mymensingh.

(ii) The following Unions in the Karimganj police-station in the district of Mymensingh:

(1) Kadir Jangle.

(2) Jafrabad.

"E"

(For Deshabandhu Sugar Mill)

The zone shall comprise of—

(i) The following villages under Charsindur Union in Kaliganj police-station in the district of Dacca:

Kowadi, Char Madyanagar, Char Alinagar, Charsindur, Sultanpur, Gakulnagar, Utterdeora, Dakhindeora, Chalana, Khanepur including Balia and Charmadhabdi.

(ii) The following villages under Jinardi Union:

Majerchar, Bararchar, Palasherchar, South Paralia, Targaon, Charnagardi, Raghabdi, Parulia, Rajadi, Gayeshpur and Uttar Chandan.

(iii) The following villages under Gazaria Union:

Noakanda, Danarchar, Bakterpur, Ramanandi, Darichar, Naringarchar, Ichakhali, Khashowla, Joypur, Sarkarchar, Dhaluarchar, Mamudpur, Charkerardi, Gazaria, Sekandardi, Saiderkhola and Pitambardi.

(iv) The following villages under Mukterpur Union:

Dhigua, Ekuta, Mukterpur, Demra and Saoraid.

(v) The following villages under Jamalpur Union:

Nargana, Kholapara, Jamalpur and Deopara.

(vi) The following villages under Ghorasal Union:

Palash, Paiksa and Ghorasal.

(vii) The following villages under Dulalpur Union in Shibpur police-station, district Dacca:

Paratola, Gazipara, Kazirchar, Simulia, Simulia Bhilpara, Bhitichinadi, Harankhola, Garbari, Nandirgaon, Madhyanagar, Chandi Bardi, Baherakhola, Dulalpur, Alinagar, Manikdi, Satpaika, Lakhpur and Dargarband.

(viii) The following villages under Chakradha Union:

Mazlishpur, Asutia, Chakrada, Shibpur, Pubergaon, Satpara and Ashrafpur.

(ix) The following villages under Sadharchar Union:

Khupi, North Sadharchar, Brajerkandi, Madhabdi, Maishadi, Harihardi, South Sadharchar, Saiderkhola, Govindi and Dasardi.

(x) The following villages under Mashimpur Union:

Chagwariapara, Paikerdia, Telikanda, Dattergaon (West Para), Miargaon, Ishabnagar, Dhanua, Kharia, Dattergaon (Madhyapara), Dattergaon (Bhitipara), Saidergaon, Mashimpur.

(xi) The following villages under Daulatpur Union in Monohardi police-station, district Dacca:

Kocher Char, Nichintapur, Daulatpur, Keraninagar, Kirtibasdi, Harinarayanpur, Paturdia.

(xii) The following villages under Ekduria Union:

Saidergaon, Hitashi, Noadia, Kamar Algi, Randandia, Tal Tola, Brajerkandi, Kuripaika, Ekduria, Belagi, Hatirdia, Rashulpur, Saidpur, Chagabhanda, Bashilikandi.

(xiii) The following villages under Durgapur Union in Kapasia police-station, district Dacca:

Ranigonj, Goshergaon, Chapait, Barid, Taragonj, Ekdala, Ghee Ghat, Nashera, Raonait.

(xiv) The following villages under Kapasia Union:

Kalibari, Khodadia, Kapasia, Narayanpur, Latifpur.

(xv) The folloing villages under Targaon Union:

Targaon, Khamer, Saphai Churi, Bagia.

(xvi) The following villages under Karihata Union:

Karihata, Hizalia, Ekuria.

(xvii) The following villages under Sanmania Union:

Dhandia (Gheeghat), Mamradi, Aral, Jaidebpahari.

(xviii) The following villages under Panchdona Union in Narsingdi police-station, district Dacca.

Mulpara.

(xix) The following villages under Silmandi Union:

Uttar Silmandi.

"F"

(For Rangpur Sugar Mills)

The Zone shall comprise of—

(i) The following mauzas in the Natore police-station in the district of Rajshahi:

Sl. No.	Name of mauza.	J.L. No.
1	Komorpur	1
2	Khorodo-Barihati	2
3	Jagadishpur Barihati	3
4	Chal-Sharkutia	4
5	Sharkutia	5
6	Abdanpur	6
7	Chankhali	7
8	Iyarpur	8
9	Kashiabari	9
10	Brahmapur	10
11	Bengal-Khalashi	11
12	Haludghar	12
13	Shekpara	13
14	Chhaturbhag	14
15	Dhankora	15
16	Beel-Ramsha	16
17	Isanpur	17
18	Singa	18
19	Kasabaria	19
20	Samaskalsi	20
21	Haridkalshi	21
22	Chak-Kesabpur	22
23	Krishnapur-Digha	23
24	Mominpur	24
25	Majdigha	25
26	Mirjapur	26
27	Jitamitrapur	27
28	Nasaratpur	28
29	Chak-Bhowanipur	29
30	Baidya-Belghoria	30
31	Belghoria	31
32	Chalitabari	32
33	Benurbhag	33
34	Shakharipara	34
35	Kutripara	35
36	Burirbhag	36
37	Nowpara	37
38	Dhobapukur	38
39	Naldanga	39
40	Sonapati	40
41	Tegharia	41
42	Madhabpur	42
43	Bangalpara	43
44	Shyamnagar	44
45	Surjagar	45
46	Basudebpur	46
47	Bipra-Belgharia	47
48	Bilchandrabati	48
49	Shympur	49
50	Faridpur	50
51	Amhati-Kalikapur	51
52	Raghunathpur	52
53	Panditgow	53
54	Harigacha	54
55	Harigachi	55
56	Chhatni-Shibpur	56
57	Raipur	57
58	Rajibagati	58
59	Srirampur	59
60	Kesabpur	60
61	Chhatai-Bazeupti	61
62	Agdigha	62
63	Chandrakola	63
64	Bamandanga	64
65	Lochanghor	65
66	Chak Lochanghor	66
67	Bhatpara	67
68	Chhatni	68
69	Gokulpur	69
70	Amhati-Shibpur	70
71	Barogacha	71
72	Hogalbaria	72
73	Chak-Baidyanath	73
74	Bon-Belghoria	74
75	Narayanpur	75
76	Ekdala	76
77	Hat-Singerdaha	77
78	Lengra	78
79	Purbapara	79
80	Dakinpara	80
81	Chak-Singerdaha	81
82	Lotabaria	82
83	Nuripara	83
84	Ghori	84
85	Chandpur	85
86	Matiapara	86
87	Chougachi	87
88	Narayanpur	88
89	Dastanabad	89
90	Sultanpur	90
91	Hashimpur	91
92	Sadhupara	92
93	Kasba	93
94	Nazarpur	94
95	Mohanpur	95
96	Chandpur	96
97	Araji-Virahimpur	97
98	Birhimpur	98
99	Jalababad	99
100	Chak-Krishnapur	193
101	Sri-Krishnapur	194
102	Ramnagar	195
103	Subedoire	196
104	Chak-Musura	197
105	Rameswarpur	198
106	Jangali	199
107	Kaigari-Krishnapur	200
108	Teburia	201
109	Bhita	202
110	Mallikhat	203
111	Municipality	204
112	Bishnupur	205
113	Solemanpur Amhati	206
114	Amhati	207
115	Thakur-Laksmikol	208
116	Banshbhag	209
117	Durgapur	210
118	Kumudbati	211
119	Beal Goari	212
120	Banshlia	213
121	Purba Madhnagar	214
122	Pashim Madhnagar	215
123	Purushottam Bati	216
124	Beal Buhia	217
125	Janadari	221
126	Khajuna	222
127	Gopal Baria	223
128	Agnagari	224

Serial No.	Name of mauza.	J. L. No.
129	Nuria Gachha	... 225
130	Debipore	... 226
131	Bhaipara	... 227
132	Halti	... 228
133	Ekdala	... 229
134	Udgari	... 230
135	Kochhori	... 231
136	Chandpur	... 232
137	Parbisa	... 233
138	Parkul	... 234
139	Mathbil	... 235
140	Karegaon	... 236
141	Kaya Gutia	... 237
142	Barai	... 238
143	Medagari	... 239
144	Dighirpar	... 240
145	Kholaberia	... 241
146	Maghgaon Kuri	... 242
147	Khariat	... 243
148	Beal Halti	... 244
149	Beal Piprul	... 245
150	Mol Tayat	... 246
151	Bamnagore	... 247
152	Kismat Goalbari	... 249
153	Sujanagar Goalbaria	... 250
154	Madandanga	... 251
155	Batkadaha	... 252
156	Batkandaha-Araji	... 253
157	Baysingpur	... 254
158	Bhushongachha	... 255
159	Achra Khali	... 256
160	Patul	... 257
161	Hapania	... 258
162	Piprul	... 259
163	Kaliganj	... 260
164	Bagshor	... 261
165	Tegachi	... 262
166	Bhaturia-Laksmikol	... 263
167	Dighapatia	... 264
168	Hagaria-Lakshmira	... 265
169	Pachim-Hagaria	... 266
170	Chhoto-Harishpur	... 267
171	Shibpurga	... 268
172	Islabaria	... 269
173	Purba-Hagatia	... 270
174	Nowpara	... 271
175	Dhakapara	... 272
176	Krishna-Goaldigi	... 273
177	Talgachhi	... 276
178	Nepaldighi	... 277
179	Adkhal	... 278
180	Gokulnagar	... 299
181	Lalmonipore	... 300
182	Karota	... 301
183	Gunarigram	... 302
184	Baro-Harishpur	...303
185	Sridharpur	... 304
186	Khamarpur	... 305
187	Ramgachi	... 306
188	Narayankandi	... 307
189	Bihar	... 308
190	Bhawanipur	... 309
191	Kaigori	... 310
192	Pikordol	... 311
193	Teghari	... 312
1194	Pizipara	... 313
1195	Rabirhat	... 314
1196	Sundarpur	... 315
1197	Dhalat	... 316
1198	Jengirhat Araji	... 317
1199	Tengirhat	... 318
2200	Rajapur	... 319
2201	Durga-Bharpur	... 320
2202	Rahimpur	... 321
2203	Rajibpur	... 322
2204	Bonkuri	... 323
2205	Rampur	... 324
206	Fatongapara	... 325
207	Mokrampur	... 326
208	Dakinpur	... 327
209	Perkholabaria	... 328
210	Balakandi	... 329
211	Arjunpur	... 330
212	Habibatpur	... 338
213	Gazipur	... 339
214	Ghouri	... 340
215	Wrisir Nawga	... 341
216	Laksmipur-Kholabaria	... 342
217	Ibrahimpur	... 243
218	Barabaria	... 345
219	Katalbaria	... 346
220	Darappur	... 347
221	Shekerhat	... 348
222	Basupara	... 349
223	Mamudpur	... 350
224	Barogharia	... 356

(ii) The following mauzas in the Puthia police-station in the district of Rajshahi:

1	Satghoshpara	... 176
2	Baje-Satghoshpara	... 177
3	Sadhanpur	... 178
4	Bidirpur	... 179
5	Sirampur	... 180
6	Jagadishpur	... 181
7	Krishnabati	... 182
8	Ammfapara	... 183
9	Arjileppara	... 184
10	Naudipara	... 185
11	Kumaria	... 186
12	Chhafar Para	... 187
13	Leppara	... 188
14	Amghoshpara	... 189
15	Ishabpur	... 190
16	Sukpara	... 191
17	Rampara	... 192
18	Bagpara	... 193
19	Udanpur	... 194
20	Udanpara	... 195
21	Pachmaria	... 198
22	Jazapara	... 199
23	Jegopara	... 200
24	Mollapara	... 201
25	Sobanpara	... 202
26	Dhakpako	... 203
27	Bararanga	... 204
28	Khoksa	... 205
29	Kaora Jawra	... 206
30	Sathbaria	... 207
31	Chandan Maria	... 208
32	Jamm	... 209
33	Dhankuri	... 210
34	Bharatmaria	... 211
35	Khamarmaria	... 212
36	Harogati	... 213
37	Chota Rangamaria	... 214
38	Ujalpur	... 216
39	Bilwaria	... 217
40	Baropakhia	... 218
41	Basudebpur	... 219
42	Saidpur	... 220
43	Madhukhali	... 221
44	Nakul Baria	... 222
45	Jainpara	... 223
46	Gowpara-Sanbhag	... 225

(iii) The following mauzas in the Bagatipara police-station in the district of Rajshahi:

1	Dakarmaria	... 100
2	Bazrapur	... 101
3	Khamar-Bazrapur	... 102
4	Rahimanpur	... 120
5	Amlagachi	... 121

Serial No.	Name of mauza.	J.L. No.
6	Nurpur	... 122
7	Kati Bansbaria	... 123
8	Bazrapur-Araji	... 124
9	Jamalpur	... 125
10	Khidir Malanchi	... 126
11	Jearkol	... 127
12	Basupara	... 128
13	Jegori	... 129
14	Sreerampur	... 130
15	Gouripur	... 131
16	Kamarpara	... 132
17	Thangamari-Gazipur	... 133
18	Chak-Gazipur	... 134
19	Bagatipara	... 135
20	Bil-Gopalhati	... 136
21	Harirampur	... 137
22	Chak-Harirampur	... 138
23	Saja-Malanchi	... 139
24	Begunia	... 140
25	Krishnapur	... 141
26	Perkuti	... 142
27	Galimpur	... 143
28	Chak-Goash	... 144
29	Chak-Tukinagar	... 145
30	Kazir-Chak	... 146
31	Khondakar-Malanchi	... 147
32	Mallikpur	... 148
33	Maria Araji	... 166
34	Ghorlaz	... 167
35	Bijarkol	... 168
36	Baroipara	... 169
37	Jogipara	... 170
38	Masimpur	... 171
39	Barapukuria	... 172
40	Sonapatil	... 173
41	Perabaria	... 174
42	Lakshmanhati	... 175
43	Muradpur	... 176
44	Tunipara	... 177
45	Chimanpur	... 178
46	Joyantipur	... 179
47	Batikamari	... 180
48	Misripara	... 181
49	Bhatkuza	... 182
50	Dayurampur (except Rani Dayaramayee Farm.)	183
51	Nandakuza	... 184
52	Dumrai	... 185
53	Haizli	... 186
54	Kolabaria	... 187
55	Panchuria	... 188
56	Shalkona	...189
57	Satail	... 190
58	Hardoul	... 191
59	Kakfo	... 192
60	Madhabaria	... 351
61	Shakpara	... 352
62	Hat-Gobindapur	... 353

The whole of Mithapur, Kola, Adaipur, Bilasbari Unions of Badalgachi police-station, district Rajshahi.

The whole of Jagodishpur Union, police-station Badalgachi, district Rajshahi.

The whole of Maidanhata, Saidpur, Mokamtola, Dewli, Kagoil and Shibganj Unions of police-station Shibganj, district Bogra.

The following villages of Boynagar Union, police-station Shibganj—

Achlai, Minarpara, Kartakala, Amantabala, Shudampur, Nagorkandi, Parkrishnapur and Thegari.

The following villages of Kichok Union, police-station Shibganj—

Gariapara, Paikarpara, Dhulaghara, B. Patar, Mandargachi, Badurpur, Amarkandi, Gopinathpur, Haripur, Saichallish, Mathian, Khemta.

The whole of Madhubpur Union, police-station Sariakandi, district Bogra.

The whole of Balua and Sonatola Union of police-station Gabtoli, district Bogra.

The whole of Pakulla, Hatserpur, Joregachha Unions, police-station Sariakandi, district Bogra.

The whole of Digdiar Union, police-station Gabtoil, district Bogra.

The whole of Sapgram, Rameshwarpur, Narichi, Lahiripara, Sonarai, Nepaltali Unions, police-station Gabtoli, district Bogra.

The whole of Gabtoli, Naruamala and Shapmara Unions, police-station Gabtoli, district Bogra.

The whole of Rukindipur, Sonamukhi and Gopinathpur Unions of police-station Adamdighi, district Bogra.

The whole of Jamalpur, Bhadsha Unions of police-station Joypurhat, district Bogra.

The whole of Mahmudpur Union of police-station Khetlal, district Bogra.

The whole of Bagjana, Dharamji, Ayema Rasulpur, Baliaghata, Atapur, Kushembai Unions, police-station Panchbibi, district Bogra.

The whole of Dhalahara Union, police-station Joypurhat, district Bogra.

The whole of Joypurhat, Dogachi, Puranpail, Bamboo Unions, police-station Joypurhat, district Bogra.

The whole of Kachua, Kamalerpara and Holdia Unions of police-station Shaghata, district Rangpur.

The whole of Mahimaganj, Salmara, Kochasahar, Shibpur, Rakhalburuz, Kamardaha, Gumaniganj and Darbasta Unions, police-station Gobindaganj, district Rangpur.

The following villages of Taluk-Kanupur Union, police-station Gobindaganj, district Rangpur—

Bera Malancha, Chhoto Narichagari, Damadarpur, Debpur, Kapasia, Chhoto Jamalpur, Chak Singodana, Raghabpur, Nodapur, Uttarpara, Debatta Ramnathpur, Baradaha, Narayanpur, Mathurapur, Par Sonaidanga, Uttar Sing Saigharia, Sundail, Chandipur, Tajpur, Chak Shibpur, Uttar Singo, Singodana.

The whole of Jumarbari Union, police-station Shaghata, district Rangpur.

The following villages of Shampara Union, police-station Gobindaganj, district Rangpur—

Narangabad, Taraf Kamal, Chak Rahimpur.

The following villages of Kholahati Union, police-station Gaibandha, district Rangpur.

Chak Momrajpur, Kholahati, Komorlai, Narayanpur.

The following villages of Ballamghar Union, police-station Gaibandha, district Rangpur—

Dhanghara, Tengorjani, Bahadurpur, Jinnasahar, Komorpur, Pallakhata, Madhupur, Raghunathpur, Chak Goyeshpur, Dholabari, Durgapur.

The following villages of Bhatgram Union, police-station Sadullahpur, district Rangpur—

Bhatgram, Buzruk Jamalpur, Bhagobanpur Taropal, Taraf Mehdi, Krishnapur, Birahimpur, Khordo Mujaitpur, Jugibari.

The following villages of Mehidipur Union, police-station Palashbari, district Rangpur—

Chandipur, Dewanpara, Goalpara, Kitterpara, Dakerpara, Jhalingi.

The following villages of Faridpur Union, police-station Sadullahpur, district Rangpur—

Chandkaria, Faridpur, Bishnupur.

The following villages of Edulpur Union, police-station Palashbari, district Rangpur—

Kunjamahipur, Mohipur, Chandipur.

The following villages of Ramchandrapur Union, police-station Gaibandha, district Rangpur—

Dokhin Raghunathpur, Arifkhan Basudebpur, Bara Durgapur.

The following villages of Barisal Union, police-station Palashbari, district Rangpur—

Bishnupur, Kayarpur, Sabdah Bhagabatipur, Purba Goalpur.

The following villages of Jamalpur Union, police-station Sadullahpur, district Rangpur—

Bara Jamalpur.

The following villages of Sahapara Union, police-station Gaibandha, district Rangpur—

Bishnupur.

The following villages of Bharatkhali, Sakna, Saghata, Chowdidha, Bonarpara and Padumshar Union, police-station Saghata, district Rangpur—

Kukrahat, Bhangamore, Gatia, Mandura, Sankibhanga, Chithalia, Sukra, Bharatkhali, Dhanaruha, Majbari, Chakchakia, Kalpani, Shampur, Dhanghara, Beltali, Putimari, Khamardhanaruha, Kukhatair Sathalia, Bobindi, Ganshara, Kachuahat, Jugipara, Hasiakandi, Sangua, Saghata, Guriadaha, Jharabarsha, Simultair, Bonarpara, Talian, Helencha and Dimla Padumshar, Kalimpara, Hatbari, Annatpur, Mathepara, Pochabasta, Jadurtair.

The following villages of Naldanga Union, police-station Sadullapur, district Rangpur—

K. Daralia, K. Hamid, Protab, Naldanga, Darolia, Manduarpara, Damodarpara, Sreerampur.

The following villages of Saribandha Union, police-station Sundarganj, district Rangpur—

D. Shahbaj, K. Sarbananda, T. Sarbananda, Bajit.

The following villages of Dhopadanga Union, police-station Sundarganj, district Rangpur—

K. Holida, B. Holida.

The following villages of Bajarpara Union, police-station Sundarganj, district Rangpur—

Ramjiban, Nizpash.

The following villages of Rasulpur Union, police-station Sadullapur, district Rangpur—

Rasulpur, Traf Fazil.

The following villages of Imaidpur Union, police-station Mithapukur, district Rangpur—

Rahmatpur.

The whole of Pirgacha, Pasul Karikuri, Itakumari and Tambul Unions, police-station Pirgacha, district Rangpur.

The whole of Annadanagar Union, police-station Pirgacha, district Rangpur.

The following villages of Kasha Union, police-station Pirgacha, district Rangpur—

Shiba and Raghunathpur.

The following villages of Itakumar Union, police-station Pirgacha, district Rangpur—

Itakumari, Gadishpur, Bongram.

The following villages of Kanuia Union, police-station Kaunia, district Rangpur—

Chandanpat, Bibanaryan, Taluq, Ishad, Gopal, Rajib, Khopati, Kula, Pathanpara, Haricharan Laskan, Barohata, Annataram in the Union of Pirgacha, police-station Pirgacha, district Rangpur.

The whole of Jamalpur, Konapara, Rasulpur, Faridpur and Bonsgram Unions, police-station Sadullapur, district Rangpur.

The following villages of Bhatgram B. Kuptala, Dhobadanga, Damodarpur, and Naldanga Unions, police-station Sadullahpur, Sundarganj, district Rangpur—

Khordorahima, Kuptala, Bhobandanga, Dismatbarbari, Rajibpur, Damodarpur, Marudaha, Jamudanga Bhagomora, Kismat Khejudamodarpur and Protap.

The whole of Bamondanga, Sonarai and Dahabandha Unions, police-station Sundarganj, district Rangpur.

The following Union of Mithapukur, police-station, district Rangpur—

Imadpur, Mirajpur and Balarhat.

The following Union of Mithapukur, police-station and district Rangpur—

Imadpur, Mirajpur and Balarhat.

The following Unions of Mithapukur, police-station, district Rangpur—

Balarhat Union.

The following Unions of Pirgacha police-station, district Rangpur—

Pirgacha, Kaikuri and Kandi.

The following Unions of Lalmonirhat, police-station, district Rangpur—

The whole of Barobari, Mahendranagar, Panchgram, Gokunda, Rajpur, Hariti and Kalirghat.

The whole of Badarganj police-station, district Rangpur—

The following villages of Chandanpat Union of police-station Kotwali, district Rangpur—

Shampur, Baikantapur, Sahabazpur, Chandanpat, Umapur, Haripur, Jalkaria, Aujodahapur and Sreerampur.

The following villages of Sadda Pushkorini and Madhupur Unions, police-station Kotwali, district Rangpur—

Sadya Pushkarini, Palichara, Bhelu, Kesabpur and Madhupur.

The following villages of Kheragacha and Mayenpur Unions, police-station Mithapukur, district Rangpur—

Khoragacha west, Rupshi, Mirzapur, Jarullapur, K. Rasulpur, Khiragacha East, Khoragacha north, Madarpur, Shikarpur, Boychandi (North) and Bouchandi South.

The following villages of Madhupur, Kutubpur and Gopalpur Unions, police-station Badarganj, district Rangpur—

Bouchandi North, Bauchandi South, Madhupur, Mamenpur, Rustamabad Nataram, Kutubpur, Kutubpur (Uttar), Khayrpara, Shibpur, Basantapur, Kismath Basantapur, Gopalpur, Nadapur, and Basrajpur.

The following villages of Bishnapur, Ramnathpur, Badarganj, Kutubpur, Madhupur, Damodarpur and

Lohanipara Unions, police-station Badarganj, district Rangpur—

Osmanpur, Dalua, Khagraband, Ghirly, Bishnapur, Haripur, Buzruk, Hajipur, D. Hajipur, Ramkrishnapur, Jamubari, Kalupara, Sandarpur, Bariampur, Badarganj, West Nataram, Rajarampur, Madhaikhamar, Batsen, Kachua, Chirlal, Karachbari and Masnai, South Bouchandi, Amrulbari Sahapur, Lohanipara, Mahadipur.

'G'

(For Thakurgaon Sugar Mills)

The zone shall comprise of—

I. All villages of Thakurgaon police-station.

II. The following villages under police-station Pirganj—

Serial No.	Name of Mauza.	J. L. No.
1	Khamar Sinua	10
2	Jasaipara	18
3	Syampur	5
4	Simalbari	4
5	Banbari	19
6	Alampur	16
7	Chandpur	17
8	Nakful	3
9	Bhonmradaha	11
10	Ujal Kotta	15
11	Jongaon	6
12	Radhikapur	9
13	K. Dalapatipur	67
14	Kusarigaon	87
15	Tarala	7
16	Bill Kachna	8
17	Ramdebpur	63
18	Sinu	86
19	Gorura	14
20	Rangalikura	23
21	K. Ujalkota	22
22	Atargaon	21
23	A. Ujalkota	20
24	Ghedob	27
25	Raghabpur	24
26	Akasil	64
27	Kachandumuria	63
28	Dubra	69
29	A. Alampur	13
30	Ghoradhap	12
31	Bhamda	62
32	Chapapar	1
33	Bairampur	25
34	Dalapatipur	66
35	Khangaon	29
36	Bishwaspur	28
37	Chandgaon	2
38	Bhopla	32
39	West Begunbari	33
40	East Begunbari	34
41	Paikpara	36
42	Nohali	137
43	Dastampur	146
44	Agragrinabari	145
45	Sindurna	130
46	Kanari	138
47	Baladiara	157
48	Barabari	129
49	Jabarhat	128
50	Kalijug	158
51	Chak Basudevpur	127
52	Mohammadpur	98
53	Behera	95
54	Joykrishnapur	115
55	Patuapara	96
56	Krishnapur	97
57	Satia	111
58	Singarul	116
59	Bothpaligaon	114
60	Saguni	122
61	Sindulla	118
62	Bansgara	80
63	Paria	79
64	Purbahazipur	119
65	Keutgaon	117
66	Bishupur	121
67	Mitrabati	81
68	Daulatpur	120
69	Raghunathpur	82
70	Ratan	100
71	Khatsinga	101
72	Chh. Mahespur	109
73	Jaykur	132
74	Guagaon	78
75	Payandha	88
76	Bismail	87
77	Begungaon	61
78	Durgapur	113
79	Khidragargaon	93
80	Bhakura	84
81	Khamar Narayanpur	112
82	Narayanpur	91
83	Jagtha	83
84	Hazipur	94
85	Chapore	76
86	Betura	73
87	Machlandapur	75
88	Setrai	72
89	Gargaon	92
90	Bazardeha	61
91	Uttar Naopara	123
92	Banuapara	125
93	Birhali	71
94	Uttar Malancha	74
95	Bheltair	70
96	Kastore	124
97	Bhimtia	77
98	Chandipur	90
99	Bhebra	185
100	Sengaon	134
101	Bad Nohali	136
102	Manuhar	131
103	Malgaon	103
104	Mallikpur	126
105	Basandi	133
106	Ghugua	65
107	Sindagar	102
108	Sibrambati	103
109	Karnai	110
110	Deonapara	48

III. The following villages under police-station Ranishankail.

1	Bhalai	41
2	Laksmipur Kumaria	44
3	Malibhita	42
4	Baburia	43
5	Margun	47
6	Gorkatgaon	50
7	A. Gorkotgaon	45
8	Gopinathpur	51
9	A. Gopinathpur	46
10	Baharpara	49
11	Patgaon	95
12	Gaugua	97
13	A. K. Sindagar	98
14	Pakamba	99
15	Ranibhabanipur	100
16	Padampur	102
17	Sahadar	93
18	Dasia	66
19	Ranisankail	92
20	Kamarpukur	..
21	K. Bansbari	70
22	South Bansbari	91
23	Chandrai	69
24	Betua	..

Serial No.	Name of mauza.	J. L. No.
25	K. Sinpara	101
26	Nayanpara	.. 90
27	Khanjanpara	.. 94
28	Bansbari	.. 88
29	Bhandara	.. 89
30	Uttargaon	.. 113
31	Rasunpur	.. 115
32	Sinpara	.. 117
33	Chopra Parbatipur	.. 118
34	Baradakhanda	.. 119
35	Chopra	.. 65
36	Madhabpur	.. 64
37	Gujirhat	.. 11
38	Munishgram	.. 10
39	Bakshasundarpur	58
40	Amjuan	.. 68
41	Nianpur	.. 86
42	Baidara	.. 85
43	Uhjahari	.. 84
44	Baraghoriarampur	.. 104
45	Sidly	.. 106
45	Gogor	.. 96
47	Kotgaon	.. 112
48	D. Nayanpur	106
49	Bangrail	.. 87
50	A. Chapore	.. 114
51	Sundarpur	.. 103
52	Hatgaon	.. 71
53	Mahalbari	.. 67
54	Bajebaksa	.. 59
55	Goagaon	.. 60
56	Rajore	.. 62
57	Bachore	.. 61
58	Nekmard Faridpara	.. 21
59	Bhobanandapur	.. 27
60	Karanil	.. 26
61	Durlabpur	19
62	A. Chandanchat	.. 16
63	Chandanchat	.. 18
64	Alsia	.. 12
65	Garkai	.. 14
66	Dhuljhari	.. 15
67	Bhobanipur	.. 29
68	Parkunda	22
69	Bhakargaon	.. 23
70	Parhia Kalugaon	.. 24
71	Ghoneshyampur	.. 54
72	East Kalugaon	.. 55
73	Bholapara	.. 25
74	Bangaon	.. 74
75	Maheshpur	.. 56
76	Narayanpur	.. 13
77	Gondagram	.. 28
78	Bamanbari	.. 20
79	Kasipur	.. 1
80	Nantoir	.. 2
81	Prayangpur	.. 30
82	Udisa	.. 52
83	Bhangbari	.. 57
84	Raghobpur	.. 53
85	Bhedail	.. 32
86	Uttar Maheshpur	.. 31
87	Boloncha	.. 17

IV. The following villages under police-station Atwari.

1	Balia	.. 37
2	Aloakhua	.. 36
3	Paltapara	.. 35
4	Bamankumar	.. 38
5	Rampur	.. 39
6	Bakdokra	.. 40
7	Raghunathpur	.. 42
8	Gobindapur	.. 43
9	Sardarpara	.. 21
10	Laksmipur	.. 22
11	Jhalijali	.. 23
12	Kalikapur	.. 45
13	Nalpukuria	.. 46
14	Tariya	.. 24
15	Nitupara	.. 30
16	Sukati	.. 31
17	K. Dap	.. 32
18	Barsalupara	.. 29
19	Barasinga	.. 34
20	Raseya	.. 47
21	Chhotodap	.. 38
22	Eradap	.. 44
23	K. Raseya	.. 48
24	Radhanagar	.. 49
25	Maligaon	.. 50
26	Daksin Durgapur	.. 51
27	Duhasuha	.. 52
28	Chuchuli	.. 53
29	Chameswari	.. 54
30	Trisulia	.. 55
31	Chameswari	.. 56
32	Molani	.. 41
33	Panisail	.. 4
34	Shiktihori	.. 13
35	Mirzapur	.. 14
36	Panbari	.. 17
37	K. Panbari	.. 19
38	Dhamar	.. 3
39	Danabir	.. 5
40	N. Rajgaon	.. 2
41	Latijhar	.. 12
42	Jugihata	.. 16
43	Krishnanagar	.. 15
44	A. Krishnanagar	.. 18
45	Bara Aulia	.. 20
46	Jadabbati	.. ..
47	Kalmegh	.. 57
48	Laksmiduar	.. 58
49	Balarampur	.. 59
50	Kurulia	.. 50
51	Satkhamar	.. 61

V. The following villages under police-station Boda.

1	Kst. Bahadur Narayani	.. 134
2	A. Shikarpur	.. 135
3	Khariza Jhalai Lal Md.	.. 130
4	Kaliaganj	.. 136
5	Kh. Basudev	.. 132
6	Arazi Syvasujan	.. 133
7	Kh. Jh. Jote Nishikanta	.. 131
8	Ar. Shikarpur	.. 129
9	Garinabari	.. 39
10	Magura	.. 42
11	Aima Jhalai	.. 80
12	Lakheraj Ghumti	.. 41
13	Kh. Magura	.. 79
14	Thatpara	.. 40
15	Jote Bahadi	.. 85
16	A. K. Bahadur Narayani	.. 83
17	Majhgram Kamat Malik Chand	82
18	Kh. Jh. Bhaktram	.. 81
19	Abhiram Khariza	.. 73
20	Bhayaram Khariza	.. 74
21	Magura (8)	.. 75
22	Milan Khariza Jhalai	.. 76
23	Kh. Jh. Jote Rupram Barua	.. 87
24	Kh. Jh. Haripur	.. 88
25	A. R. Jote Milan	.. 128
26	Ar. Nishi Kanta	.. 125
27	Ar. Jote Radha Nathpur	.. 126
28	Nalak Chand Jote	.. 124
29	Pran Nath Haripur	.. 123
30	Ar. Pir Mahmud (12)	.. 89
31	Maniram Jote	.. 90
32	Bakpur (54)	.. 91
33	Dabarbhanga (53)	.. 92
34	Benghari (60)	.. 93
35	Debharbhanga (59)	.. 94
36	Shikarpur (63)	.. 95
37	Bhakterbari	.. 96
38	Subhasujan (75)	.. 97
39	Benghari Debottar	.. 46
40	A. Shikarpur	.. 48

Serial No.	Name of mauza.	J.L. No.
41	Nandarammandal	.. 70
42	Benghari Mangura	.. 71
43	A. Gaighata	.. 72
44	Jote Bhayaram Kh. Badulla	.. 115
45	Pir Mahmud	.. 116
46	Tepu Jhoria	.. 117
47	Jhal Jhali Suvasujan	.. 119
48	Jhalijhali	.. 120
49	Dabarbhanga Kh. (51)	.. 121
50	Kst. Haripur	.. 122
51	Maniram Jote Haradev	.. 153
52	Nalak Chand Barua	.. 143
53	Banshidhar Pujari (44)	.. 144
54	Haripur Jote Samas	.. 145
55	Suvasujan Kh. (50)	.. 151
56	Debar Bhanga Kh. (69)	.. 152
57	Nilkanta Barua	.. 127
58	Benghari	.. 78
59	Kaliswar Samonta	.. 77
60	Jote Kh. Narani	.. 86
61	Bhayram Kh. Badulla	.. 84
62	Debi Kanta	.. 142
63	Samas Babat Debi Kanta	.. 146
64	Jote Bharrab	.. 147
65	Ar. Pir Mahmud (48)	.. 148
66	Hara Gobida Napit	.. 149
67	Menagram	.. 150
68	Ghogra (67)	.. 154
69	Dabarbanga (69)	.. 155
70	Ar. Shikarpur (48)	.. 157
71	Ar. Subhasujan (47)	.. 153
72	Dabarbangha (69)	.. 159
73	Dabarbangha (69)	.. 160
74	Dabarbanga (41)	.. 161
75	Dabarbangha (40)	.. 162
76	Bhabaniprasad Kh.	.. 163
77	Kantamani	.. 164
78	Babavir	.. 165
79	Ratiram Khansama	.. 166
80	Suvasujan Magur Gohali	.. 167
81	Darpanarayan Panda	.. 168
82	Jote Samas	.. 169
83	Bala Abulla	.. 170
84	Baidya Nath Babat Jote	.. 171
85	Bandia	.. 172
86	Amar Das	.. 173
87	Ramgobinda Hisabi (4)	.. 174
88	Baguladanga (52)	.. 175
89	Nagar Khalil Khan	.. 176
90	Kumar Nagar	.. 177
91	Gobindaganj	.. 178
92	Suvasujan (1)	.. 179
93	Shibdal Pujari	.. 180
94	Kamat Majharam	.. 181
95	Abdulla Babat Jote	.. 182
96	Ramsaran Kanta Moni	.. 183
97	Banshidhar Pujari (20)	.. 184
98	Pitambar Pujari	.. 185
99	Jote Abhiram	.. 186
100	Nandlal Jhan	.. 187
101	Ramprasad Karzi	.. 188
102	Benghari (15)	.. 189
103	Pamuli Babat Kh.	.. 190
104	Barapatia (24)	.. 191
105	Atiagram	.. 192
106	Nilkanta	.. 193
107	Khariza Maria	.. 194
108	Nitai Sarkar	.. 202
109	Bhola Basumia (35)	.. 204
110	Jote Mayaram	.. 210
111	Arjun Benghari	.. 211
112	Debottar	.. 212
113	Abdul Hakim	.. 213
114	Ramdasmandal	.. 214
115	Chandanbari	.. 215
116	Panchu Roy Gopinath	.. 216
117	Phul Chandra Sahamani	.. 217
118	Jaigir Saran	.. 218
119	Dabar Banga (55)	.. 219
120	Dandiduar	.. 220
121	Balabari	.. 221
122	Balavir Barua	.. 222
123	Banshidhar Pujari (7)	.. 223
124	Ar. Shikarpur	.. 103
125	Barapatia	.. 104
126	Bholabasunia	.. 105
127	Maria Kamalapukuri	.. 109
128	Subasujan Khariji	.. 110
129	Nakuli Babat Jote	.. 111
130	Benghari (70)	.. 112
131	Radha Babat Jote	.. 113
132	Gobinda Babat	.. 114
133	Dabarbhanga (64)	.. 118
134	Kh. Jh.Bromottar	.. 137
135	A. Chandahbari	.. 138
136	Kh. Dabarbanga	.. 139
137	Mokorari Jote Radha Mohan Kholapetu.	.. 140
138	A. Radha Nath Roy	.. 141
139	Dhakkamara	.. 37
140	Mirgarh	.. 38
141	Dhemsimari	.. 43
142	A. Shikarpur (56)	.. 44
143	Jalpesh Narayani	.. 45

VI. The following villages under police-station Panchagarh.

1	Santmira	.. 2
2	Darikamari	.. 3
3	Malani	.. 28
4	Molani Arazi	.. 15
5	Maghai	.. 16
6	Bahadur Narayani Ghatabr	.. 17
7	Kh. Kajal Dighi	.. 23
8	Kanta Kajal Dighi	.. 24
9	Maria Kamala Pukuri	.. 25
10	Bisnu Narayani	.. 26
11	Majhgram	.. 27
12	Ghagra Khochabari	.. 29
13	Jagananth Jote	.. 30
14	Bahadur Narayani	.. 31
15	Ar. Kajal Dighi	35
16	A. Berubari	.. 34
17	Benghari Shikarpur	.. 36

VII. The following villages under police-station Baliadangi.

1	Charol	.. 22
2	Dhukurjhai	.. 18
3	Habipara	.. 17
4	Banagaon	.. 19
5	Nageswarbari	.. 21
6	Dogachi	.. 30
7	Khalipur	.. 29
8	Kolonda	.. 78
9	Thumnia	.. 14
10	Kh. Machkhuria	.. 10
11	Panchdayal	.. 9
12	Machkhuria	.. 3
13	Meshni	4
14	Malancha	.. 11
15	Goalkari	.. 43
16	Sabajpur	.. 26
17	Chhoto Singia	.. 24
18	Madhupur	.. 27
19	Pardeshipara	.. 25
20	Barabari	.. 44
21	Jaunia	.. 13
22	Bamunia	.. 5
23	Chakdha	.. 8
24	Belhari	.. 45
25	Hawda	.. 12
26	Badmechi	.. 2
27	Bhotpara	.. 23
28	Bard Coat	.. 59
29	Fatehpur	.. 60
30	Sapra	.. 62
31	Bobra	.. 63
32	Dohassai	.. 70
33	Lalapur	.. 32

Serial No.	Name of mauza.	J. L. No.
34	Boakdhar	71
35	Sangaon	31
36	Saralia	39
37	A. Saralia	41
38	Bhanore	72
39	Kadasuka	33
40	Jiabari Bengrol	35
41	Maheshmari	40
42	Durgapur	76
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44	Barapalashbari	53
45	Belsara	65
46	Jiabari	54
47	Dakhin Duar	64
48	Haripur	58
49	Paria	68
50	Sarbamangala	69
51	Jikra	66
52	K. Palashbari	67
53	Chhoto Palashbari	38
54	Alok Chhipi	37
55	Raypur	36
56	Shidhore	75
57	Haldibari	73
58	Bisrampur	74
59	Madhapur	34
60	Nauriapara	28
61	Tarnanjubari	47
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4	Krishnagar	141
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9	Chakbanarasi	149
10	Jagadishpur	131
11	Balarampur	150
12	Khordapara	102
13	Kutalpur	133
14	Sujalpur	169
15	Miratungi	148
16	Kaikari	129
17	Barahat	134
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20	Aulakhuri	130
21	Chak Mohadev	137
22	Chikura Birchandrapur	132
23	Tulshipur	138
24	Jote Raghu	100
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26	Konarpur	167
27	Chakai	154
28	Debipur	151
29	Chak Dafar	135
30	Matiakura	136
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32	Basudebpur	127
33	Dabrajinsera	70
34	Sunderihat	128
35	Majboail	57
36	Elai	49
37	Bhabki	52
38	Kistopur	54
39	Dighalpukri	74
40	Durlabhpur	58
41	Maricha	75
42	Gopalpur	50
43	Bejapur	51
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67	Sinhajani	10
68	Palanugaon	15
69	Dhangaon	11
70	Satair	18
71	Shalbari Khatiadighi	9
72	Dabra	72
73	Gobindapara	8
74	Daldu	19
75	Prannagar	30
76	A. Madansanka	12
77	Chak Paikpara	29
78	Taratbari	20
79	N. Raghunathpur	17
80	Gangar	16
81	Madansando	14
82	Laskarpur	22
83	Shibpur	21
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85	Jhalihati	78
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89	N. Palashbati	76
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101	Tewarigaon	70
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"H"

(For Zeal Pak Sugar Mills)

The Zone shall comprise of—

(1) The following villages of Dewanganj police-station in the district of Mymensingh:—

Rampura, Chukaibari, Bhabasur, Kajlapara, Chuniapara, Chikajani, Gabindanogar, Kalikapur, Takimari, Chandrapara, Pullakandi, Banianirchar, Gamaria, Kharma, Utmarchar, Bahadurpur, Nayapara, Tilakpur, Charbhabasur and Bahadurabad.

(2) The following villages of Islampur police-station in the district of Mymensingh:—

Doriabad, Islampur, Bhengura, Gangapara, Gaoukura, Natarkanda, Lawdatta, Dhengarghar, Pachbaria, Kachihara, Panchabuhala, Charia, Sankarpur, Chargowkura, Palabanda Rauherkanda, Batikamari, Radhir Alga K. Jalla, M. Jalla, Baliadaha, Pakamuri, Goalnerchar, Ambaria, Nandanerpara, Dharmakura, Charshankur, Krishnanagar, Rambhadra, Malmara, Gaibanda, Gopalnagar, Charputimari, Hatija, Chargavindi, Gilabari, Chinaduli, Nayapara, Borut, Shildha, Mukshimla, Serajabad, Dharpara, Jigatala, Goualerchar, Dhannagar, Charshindhintali, Gamaria, Kaichma, Moradubri, Badesosariabari, Kulkandi, Sosariabari, Tanger, Alga, Patharshi, Mujaata, Hariabari, Dhantala, Belgacha, Rajapur, Charshapdhari and Noarpara.

Serial No.	Name of mauza.	J. L. No.

(3) The following villages of Melandha police-station in the district of Mymensingh:—

Kulia, Tanki, Shindrafasal, Paragali, Doudkura, Baherchar, Tarakandi, Okhrartair, Baluchanda, Ruknai, Jangalia, Ambaria, Char Panshi, Hamla, Valuka, Kalabada, Gabindi, Pirispur, Sultankhali, Ramarpara, Doudpur, Dafla, Pachabhala, Takiya, Sharlia, Ghangania, Dagi, Jalalpur, Malancha, Chinitala, Charaldhar, Chakdaha, Sadarbari, Melandah, Bagaduba, Bazaruddipara, Burangagia, Udnapara, Megarbari, Kangalkursha, Charbashanta, Banipakuria, Durmut, Mamudpur, Imampur, Baniabari and Nanglapara Baga.

(4) The following villages of Jamalpur police-station in the district of Mymensingh:—

Badachandi, Nandina, Kharkharia, Loandaha, Charmadapdi, Nawabpur, Gurarkanda, Kanil, Laherikanda, Banarerper, Sheharatali, Khalishakuri, Ranarampur, Mahanpur, Maheshpur, Lakshmirchar, Chakbertali, Kumatia, Ranagachha, Jamira, Kasharupara, Beltali, Faridpur, Darihamidpur, Palashtala, Berapathalia, Joyrampur, Gudashimla, Gabindapur, Bashchara, Hamidpur, Boraitar, Sreepur, Kumaria, Battala, Char Lakshmipur, Bagra, Baluka, Biara, Fatepur, Gabindabari, Rayerchar, Nalkuri, Chak-Kallyan, Narundi, Mirapur, Sreechandabari, Bandarouha, Itail, Dhupa Irail, Dakhaipur, Joka, Charimagura, Helencha, Aralia, Teghari, Gopalpur, Katarbari, Rajpur, Brammahuttar, Dapaeshwar, Sreebari, Taragong, Tajpur, Bharuakhali, Haripur, Ghorabad, Kutub Bari, Mahishura, Kochandhara, Mirzapur, Banpara, Chithalia, Gaziapara, Shiek Bari, Adilpur, Tushir Char, Digrirchar, Subarna Khila, Atapara, Belbalia, Piyarpur, Jagirmirzapur, Barigaguri, Damdama, Gangkanda, Tangirkanda, Shailerkanda, Bhulalmari, Ruhili, Ruhilimadyapara and Charpara.

(5) The following villages of Kotowali police-station in the district of Mymensingh:—

Kushtia, Olipur, Daruikushtia, Matiamtola, Kaladia, Srerapur, Kukil, Borokahnia, Tero Kahunia, Bayian, Brgunbari, Rupakhali, Kalyanpur, Kismat, Mirzapur, Bahadurpur, Hayerkandi, Taragai, Harty, Astodhar, Baliapara, Kaidapara, Bhuglijagir, Bhigli, Kownia, Charshasa, Pandapara, Mahismari, Jafarkanda, Nimtola and Senerchar.

(6) The following villages of Muktagacha police-station in the district of Mymensingh:—

Shasa, Birashi, Shankarpur, Kalakanda, Garaikuti, Dobakhola, Malotipur, Tarati, Koladia, Katoniakanda, Mahishada and Chandabari.

By order of the Governor,
S. H. ALI,
Dy. Secy. to the Govt of East Pakistan.

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FRIDAY, DECEMBER 1, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. 899 FD (Int)—28th November 1961—In exercise of the powers conferred by paragraph 9 of the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1946, the Governor is pleased to exempt the wholesalers mentioned in column 1 of Schedule II below from the provision of paragraph 3 of the said Order in respect of bringing the commodities mentioned in Schedule I below into the rationed area of Chittagong, and from the provision of paragraph 4 of the said Order in respect of having in their possession the said commodities at the godowns mentioned in the corresponding entries in column 2 of Schedule II below for distribution outside the rationed area of Chittagong, subject to the following conditions, namely:—

(1) The said wholesalers shall maintain regular and accurate account for receipts, issues and stocks in hand of the aforesaid commodities, which shall be open to inspection by the officers not below the rank of a Sub-Inspector of Food of the Food Department.

By order of the Governor,
M. A. SIDDIQUI, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT.

(i) Industrial Dispute Case No. 10/1960

The Chittagong Aluminium Factory Workers' Union, 6, Nawab Sirajddowlla Road, Chittagong—*1st party.*

versus

The City Aluminium Works, Chaktai, Chittagong—*2nd party.*

(ii) Industrial Dispute Case No. 16/61

Shaikh Ramjan, ex-Spinner, Messrs City Aluminium Works, Chaktai, Chittagong, C/o. The Chittagong Aluminium Factory Workers' Union—*1st party.*

versus

Messrs City Aluminium Works, Chaktai, Chittagong—*2nd party.*

(iii) Industrial Dispute Case No. 18/61

ksud Meah, Spinner of Messrs City Aluminium ks, Chaktai, Chittagong, C/o. The Chittagong minium Factory Workers' Union—*1st party.*

versus

City Aluminium Works, Chaktai, Chittagong—*party.*

ozammel Haque, Advocate, for the 1st party.

izul Haque, Advocate, for the 2nd party.

M. A. Jalil, Esq. .. .. *Chairman, Industrial Court, East Pakistan.*

Mr K. M. Nasirul Haque
Mr K. M. M. Abdul Qader } .. *Members.*

AWARD

These three cases have been heard together for the sake of convenience.

Industrial Dispute Case No. 10/60 has been filed by the Chittagong Aluminium Factory Workers' Union on behalf of the workers of the City Aluminium Works, Chittagong under section 5(5) of the Industrial Disputes Ordinance, 1959, and Industrial Dispute Cases No. 16/61 and 18/61 have been filed by two ex-employees of the City Aluminium Works, namely, Sk. Ramjan and Maksud Meah under section 31 of the Ordinance. In all the cases the City Aluminium Works, Chaktai, Chittagong, is the second party.

We propose to deal with Case No. 10/60 first.

Case No. 10/60.

This case arises out of a dispute concerning the pay, service conditions, etc., of the workers of the City Aluminium Works, Chittagong. The Union demanded—

(i) that it be recognized as the only representative Union of the Workers of the City Aluminium Works;

area in which the East Bengal Essential Foodstuffs Anti-Hoarding Order, 1956, is in force.

(3) The said wholesalers shall submit a weekly return to the District Controller of Food, Chittagong, showing the total quantities of the said commodities daily issued from their godowns and moved outside the rationed area of Chittagong.

Explanation—In this notification, the rationed area of Chittagong shall have the same meaning as in the East Bengal Urban Area Rationing Regulations, 1956.

SCHEDULE I

(1) Rice husked.

(2) Rice in the husk (Paddy).

SCHEDULE II

Column 1.	Column 2.
(1) Messrs Hafazat Salt Supply Corporation.	10/11P, Strand Road, Chittagong.
(2) Messrs Hari Mohan Sarkar.	22, New Chaktai, Chittagong.
(3) Messrs Narayan Bhandar.	86, New Chaktai, Chittagong.

By order of the Governor,
S. H. ALI,
Dy. Secy. to the Govt. of East Pakistan.

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GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

Section II

NOTIFICATION

No. BD&LG/S-II/4T-7/61/454—29th November 1961—In exercise of the powers conferred by Article 62 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), and in pursuance of item 6 of the Model Tax Schedule relating to District Councils, published under this Department's notification No. LG/S-VIII/4T-1/61/237, dated 4th July 1961 in the *Dacca Gazette, Extraordinary*, Part I, dated the 5th July 1961, the Governor is pleased to

Aluminium Factory Workers Union—*1st party.*

versus

Messrs City Aluminium Works, Chaktai, Chittagong—
2nd party.

2195

publish, for the guidance of the District Councils, the following Model Schedule of school fees in respect of schools established and maintained by District Councils, namely:

Model Tax Schedule of School Fees

Secondary Schools—

Class.	Monthly rate of fee Rs.
VI	4·00.
VII and VIII	5·00.
IX and X	6·00.

Technical Schools—

Course.	Rate per *semester. Rs.
Sub-Overseer Certificate Course ..	20·00.
Survey Final Certificate Course ..	15·00.
Amin Classes Certificate Course ..	10·00.
Higher Motor Mechanic Certificate Course	20·00.
Junior Motor Mechanic Certificate Course	10·00.
Carpentry and other Trades Certificate Course.	10·00.
All Trades—Artisan Course ..	5·00

*Excluding holidays and vacations, there are two semesters in a year, each of approximately four and a half months' duration.

By order of the Governor,
S. D. KHAN,
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GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

Section II

NOTIFICATION

No. BD & LG/S-II/4T-7/61/455—29th November 1961—In exercise of the powers conferred by section 355 of the Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960), and in pursuance of item 118 of the Model Tax Schedule relating to Municipal Committee, published under this Department's notification No. LG/S-VIII/4T-1/61/238, dated 4th July 1961 in the *Dacca Gazette, Extraordinary*, Part I, dated the 5th July 1961, the Governor is pleased to publish, for the guidance of the Municipal Committees, the following Model Schedule of school fees in respect of schools established and maintained by Municipal Committees, namely:

Model Tax Schedule of School fees.

Secondary School—

Class.	Monthly rate of fee. Rs.
VI	4·00
VII and VIII	5·00
IX and X	6·00.

Schedule of school fees in respect of schools established and maintained by the Town Committees, namely:

Model Tax Schedule of School Fees

Secondary Schools—

Class.	Monthy rate of fee.
	Rs.
VI	4·00.
VII and VIII	5·00.
IX and X	6·00.

Technical Schools—

Course.	Rate per* semester.
	Rs.
Sub-Overseer Certificate Course ..	20·00
Survey Final Certificate Course ..	15·00
Amin Classes Certificate Course ..	10·00
Higher Motor Mechanic Certificate Course. ...	20·00
Junior Motor Mechanic Certificate Course. ..	10·00
Carpentry and other Trades Certificate Course. ..	10·00
All Trades—Artisan Course ..	5·00

*Excluding holidays and vacations, there are two semesters in a year, each of approximately four and a half months' duration.

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-40/61/1087-L/II—2nd December 1961—Whereas the Chittagong Aluminium Factory Workers' Union, 6, Nawab Sirajddowlla Road, Chittagong, applied to the Industrial Court, East Pakistan at Dacca for adjudication of the Industrial Disputes between the Chittagong Aluminium Factory Workers' Union, 6, Nawab Sirajddowlla Road, Chittagong and Messrs City Aluminium Works, Chaktai, Chittagong;

And, whereas, the said Court has given its award as appended hereto;

Now, therefore, in pursuance of sub-section (2) of section 12 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), the Governor is pleased to direct that the said award be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,
M. A. SIDDIQUI, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT.

(i) Industrial Dispute Case No. 10/1960

The Chittagong Aluminium Factory Workers' Union, 6, Nawab Sirajddowlla Road, Chittagong—*1st party.*

versus

The City Aluminium Works, Chaktai, Chittagong—*2nd party.*

(ii) Industrial Dispute Case No. 16/61

Shaikh Ramjan, ex-Spinner, Messrs City Aluminium Works, Chaktai, Chittagong, C/o. The Chittagong Aluminium Factory Workers' Union—*1st party.*

versus

Messrs City Aluminium Works, Chaktai, Chittagong—*2nd party.*

(iii) Industrial Dispute Case No. 18/61

Md. Maksud Meah, Spinner of Messrs City Aluminium Works, Chaktai, Chittagong, C/o. The Chittagong Aluminium Factory Workers' Union—*1st party.*

versus

Messrs City Aluminium Works, Chaktai, Chittagong—*2nd party.*

Mr Mozammel Haque, Advocate, for the 1st party.

Mr Azizul Haque, Advocate, for the 2nd party.

Before—

M. A. Jalil, Esq. .. .. *Chairman, Industrial Court, East Pakistan.*

Mr K. M. Nasirul Haque
Mr K. M. M. Abdul Qader } .. *Members.*

AWARD

These three cases have been heard together for the sake of convenience.

Industrial Dispute Case No. 10/60 has been filed by the Chittagong Aluminium Factory Workers' Union on behalf of the workers of the City Aluminium Works, Chittagong under section 5(5) of the Industrial Disputes Ordinance, 1959, and Industrial Dispute Cases No. 16/61 and 18/61 have been filed by two ex-employees of the City Aluminium Works, namely, Sk. Ramjan and Maksud Meah under section 31 of the Ordinance. In all the cases the City Aluminium Works, Chaktai, Chittagong, is the second party.

We propose to deal with Case No. 10/60 first.

Case No. 10/60.

This case arises out of a dispute concerning the pay, service conditions, etc., of the workers of the City Aluminium Works, Chittagong. The Union demanded—

(i) that it be recognized as the only representative Union of the Workers of the City Aluminium Works;

(ii) that all the workers be issued permanent appointment letters who completed 3 months' service;

(iii) that the rate of pay of the workers be fixed as follows on monthly basis—

	Rs.
(a) Spinner	300
(b) Polisher	175
(c) Cuttingman	225
(d) Fittingman	150
(e) Dhalaiwala (Moulder) ..	150
(f) Turner	150
(g) Washingman	125
(h) Labourers	90

(iv) that the workers be given paid week-end rest and paid festival holidays for 15 days, earned leave for 15 days and medical leave for 15 days in a year;

(v) that the workers be given half-pay when the factory remains closed for want of raw materials or for other causes;

(vi) that the workers be given washing allowance at the rate of Rs.10 per month;

(vii) that the workers be given 3 months' notice or pay in lieu thereof if and when any worker is to be discharged or retrenched;

(viii) that all the workers be given one month's pay as bonus in a year;

(ix) that the Spinners be supplied two sets of uniform in a year; and

(x) that the workers be given the benefits of Provident Fund.

The second party—the City Aluminium Works has entered appearance contending, *inter-alia*, that the case is not maintainable and that at any rate the demands are unjust and unreasonable.

Regarding the objection as to the maintainability of the case it is first of all contended that the Union never applied to the second party for recognition, nor has it been recognized by the second party and that, therefore, it has no *locus-standi* to file any dispute on behalf of the workers. In support of this contention reliance has been placed upon sub-section (*1*) of section 5 of the East Pakistan Trade Unions (Recognition) Ordinance, 1958 and section 28-D of the Trade Unions (Amendment) Ordinance, 1960. Sub-section (*1*) of section 5 of the East Pakistan Trade Unions (Recognition) Ordinance, 1958 provides:—

> "The executive of a registered Trade Union recognized under the provisions of this Ordinance shall be entitled to negotiate with employers in respect of matters connected with the employment or non-employment, or the terms of employment or the conditions of labour of all or any of its members, and the employers shall receive and send replies to letters sent by the executive on, and grant interviews to that body regarding such matters."

Almost to the same effect is section 28-D of the Trade Unions (Amendment) Ordinance, 1960. Now, the East Pakistan Trade Unions (Recognition) Ordinance, 1958, which came into force on 27th January 1958, was promulgated by the Governor on the ground, as mentioned in the preamble, that "the Provincial Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action." There is nothing on record to show that the Ordinance was followed by an enactment of the Legislature or that its life was extended from time to time. So that after the expiry of the statutory period it ceased to have any force, which is the reason why, to our mind, the Trade Unions (Amendment) Ordinance, 1960 was promulgated with similar provisions incorporated in it. The Trade Unions (Amendment) Ordinance, 1960 was published in the *Pakistan Gazette* on 25th April 1960 and came into force on the 1st of August 1961. The present dispute, however, arose in January 1960 and was referred to the conciliation officer on 14th May 1960, and the conciliation officer issued the certificate of failure on 9th June 1960. Thus at the time when the present dispute arose neither of the two Ordinances was in force, and consequently, these Ordinances can not be invoked to thwart the present proceeding. Apart from that, we do not see how the second party can argue on the strength of these Ordinances that the Union has had no right or *locusstandi* to file this dispute because it has not been recognized. It may at best claim that since it has not been recognized the Union has had no right to negotiate with it for settlement of the dispute. But to say that a registered Trade Union, such as the first party is, has no right to present demand or prosecute the dispute arising out of it is to assume that a Trade Union which, though registered, has not been recognized by the employer can have no remedy in law so long as it is not recognized. In our view, this is an astounding assumption and giving effect to it would mean that no Trade Union can present a claim to an intransigent employer unless and until the employer is forced to recognize it by the process of law. The Ordinances do not envisage such a position and we have no doubt that it was never contemplated. On the other hand, section 13 of the Trade Unions Act lays down that every registered Trade Union shall have the right to sue and to be sued and section 15 of the Act that the general funds of a registered Trade Union may be spent for, amongst other objects, the prosecution and defence of any legal proceeding for the purpose of securing or protecting any rights arising out of the relations of any member which his employer, and the conduct of industrial disputes on behalf of the Trade Union or any member thereof. The sections do not use the word "recognized" which means that for the purposes abovementioned it is sufficient if the Trade Union is registered. In this case, as the certificate of registration—Ext. 2 shows, the Trade Union was registered on 18th November 1959. Therefore, although it has not been recognized by the second party there can be no question as regards its *locus-standi* to file this dispute.

It is then contended that even if it has the right to file a dispute the Union could not exercise this right without first trying to arrive at a settlement by direct negotiation but that in this case the Union presented no charter of demands to the second party direct, nor did it make any attempt at a negotiation settlement. In support of this contention reliance has been placed upon rule 24 (*1*) of the East Pakistan Industrial Disputes Rules, 1960, which lays down that "before any dispute is represented to a conciliation officer by either of the parties thereto, all attempts may be made by the parties for settlement of the dispute by direct negotiation." The East Pakistan Industrial Disputes Rules were published in the Dacca Gazette, on 12th March 1960, that is to say, after the commencement of the present dispute and, therefore, apart from all other considerations rule 24 (*1*) has no application to this case. *Prima facie*, the provision made in rule 24 (*1*) is not a mandatory provision. Section 5 of the Industrial Disputes Ordinance lays down that where an industial dispute exists or is apprehended the conciliation officer shall hold conciliation proceedings in the prescribed manner, and sub-rule (*4*) of rule 24 of the East Pakistan Industrial Disputes Rules that as soon as a dispute is apprehended in any establishment or is taken cognizance of by the conciliation officer, he shall hold conciliation proceedings in such manner as may be deemed

necessary in each case. This shows that the conciliation officer is not required to wait until the parties fail to arrive at a settlement but can take action under the Ordinance even if no attempt is made by either party for settlement of the dispute by direct negotiation. Besides, the 1st party's evidence is that the 2nd party refused to accept the charter of demands when presented and also refused to have any truck with the Union in respect of these matters. Therefore, it is futile to contend that the word "may" in rule 24 (*1*) has the connotation of 'shall' and on that footing to contend further that the provision being mandatory the conciliation officer had no jurisdiction to entertain the dispute. We need only point out that once a dispute is filed under section 5 (*5*) in pursuance of a certificate of failure issued by a conciliation officer under section 5 (*4*) of the Ordinance this Court cannot refuse to take cognigance of the case on the ground of any supposed want of jurisdiction, not apparent on the face of the record, on the part of the conciliation officer or failure to comply with any provision of law as regards settlement of the dispute by direct negotiation but shall, under section 10, proceed to adjudicate upon it.

Thus, the objection as regards the maintainability of the case is founded upon no sound principle and must be over-ruled as untenable.

The demands put forward by the Union may now be considered.

Demand No. 1—*Recognition of the Union*—At the commencement of the hearing this demand was withdrawn by the first party, and therefore, it need not be considered.

Demand No. 2—*Issuance of permanent appointment letters to workers who have completed 3 months service*—This demand has been made on the basis of the Industrial Employment (Standing Orders) Act, 1946, read with East Pakistan Industrial Employment (Standing Orders) Rules, 1958, in which a "permanent workman" has been defined as a workman who has been engaged on a permanent basis or who has satisfactorily completed a probationary period of 3 months in the same or another occupation in the establishment. The Industrial Employment (Standing Orders) Act has been superseded by the Industrial and Commercial Employment (Standing Orders) Ordinance, 1960, which came into force on 3rd February 1960. The Act was applicable to an establishment employing 100 or more workmen. The Ordinance has reduced the number of workmen to 50 or more. In the second party's establishment, however, only 37 persons are employed at the present moment. In the previous year the number was even less than 37. Therefore, neither the Industrial Employment (Standing Orders) Act, 1946, nor the Industrial and Commercial Employment (Standing Orders) Ordinance, 1960, applies to this case. We are of the opinion, however, that the principle may well be applied to this case since it instils a sense of security in the mind of the workmen. Moreover, the second party has stated before us that it has no objection to issuing appointment letters to permanent workmen. Accordingly, we direct that workers who have been engaged on a permanent basis or who has satisfactorily completed a probationary period of 3 months in the same or another occupation in the establishment, be treated as permanent and given appointment letters.

Demand No. 3—*Rate of Pay*—It appears from the evidence on record that the City Aluminium Works (second party) was established in December, 1958 by two entrepreneurs, named, Sirajul Haque and Ekramul Haque. They are brothers and they started the business as partners, each contributing Rs.10,000 towards the capital. Afterwards, they contributed a further sum of Rs.6,000 each, so that at present the capital amounts to Rs.32,000. The factory is located in a house with roof made of C. I. Sheets and walls made of split bamboo (Tarja) and pucca plinth. This house again is a rented house and we find from the manufacturing and trading accounts Exts. I and I(1) filed by the second party for the years ended 31st March 1959 and 31st March 1960 respectively that Rs.1,800 was paid in the first year and Rs.2,400 in the second year as house-rent. And we find from the balance sheet and profit and loss accounts appended to Exts. I-I(1) that the second party incurred a net loss of Rs.5,534-11-6 in the first year, and earned a net profit of Rs.13,375-7-3 (without deduction of income tax) in the second year. It is contended on behalf of the first party that no reliance can be placed upon these papers since the second party has not produced the account books or the original balance sheet submitted to the income tax department, nor has it examined the accountant who prepared the balance sheet. The second party produced these papers on the requisition of the Court during the hearing of the case. The evidence shows that the Managing Partner Mr. Ekramul Haque, second party witness No. 3 himself went to Chittagong to bring the papers and he left for Chittagong on 8th November and produced the papers on 9th November 1961. Thus apart from the fact that concoction of accounts of a registered firm involves a certain amount of risk which the second party, in its present position, is not likely to take there was hardly any time or opportunity for concoction. If the second party had concocted the accounts for the purpose of this case, as suggested by the first party, it would have produced the papers on its own initiative without waiting for an order from the Court to produce the same. The fact that the papers were produced within practically 24 hours of the Court's requisition only shows that they were simply copied from the original. And such copies are always admitted in evidence, the Evidence Act not being applicable to a proceeding under the Industrial Disputes Ordinance. On the whole, we find no reason to suspect the genuineness of the papers which, in our opinion, represent the actual state of things.

Now, when the second party started the business it gave the workers wages at the following rates—

Spinners—Rs.3 to Rs.7-8 per day.
Cutting man—At piece-rate.
Fitting man—At piece-rate.
Turner—Rs.90 per month.
Polisher—Rs.125 per month.
Moulder—Rs.3 per day.
Labourers—Re.1-8 to Rs.2 per day.

On 20th February 1960, there was a bi-partite agreement between the second party and the spinners employed by it and in terms of this agreement—Ext A, piece-rates were introduced for various articles handled by the spinners. The agreement bears the signatures of all the spinners then employed. Two of the spinners, namely, Ramjan Ali and Maksud Mia who are applicants in Industrial Dispute Cases Nos. 16/61 and 18/61 respectively, have deposed before us and they state that they were not aware of the contents of the document and that their signatures were obtained by fraud and mis-representation. We are unable to believe this statement of theirs in view of the admitted fact that with effect from 20th February 1960, the spinners were paid wages according to the rates specified in the agreement. It appears that the Union protested against the introduction of piece-rate before the conciliation officer and on the intervention of the conciliation officer the daily wages that used to be paid to the spinners before the agreement was restored. The Managing Partner of the second party states that after the re-introduction of the time-rate the spinners slowed down the production and hence he was obliged to restore the piece-rate system on 22nd June 1961.

Time-rate is usually adopted where quality is considered more important than quantity, costly and delicate machineries have to be handled or the workers' output cannot be measured by any fixed standard, whereas piece-rate is adopted where quality of work is largely controlled by machines or where quality is of secondary importance or can easily be tested by inspection. The question whether a particular job should be remunerated on time basis or piece basis is mainly the concern of the employer who may be expected to know how best the business can be conducted in a competitive market without imparing the efficiency of the workers and the quality of the products. In the more advanced countries piece-work is widely used in metal industries. At Chittagong also 7 out of the 9 aluminium factories now in existence have adopted piece-rate. (*vide* evidence of the Union Secretary Mr. M. A. Sabur—first party witness No. 1).

For obvious reasons piece-rate is not liked by workers who are indolent or inefficient. But to those who are capable of achieving high output because of higher capacity for work or greater experience and skill it affords an opportunity to earn more. It may be that the system encourages a sort of competition amongst the workers and that in the process those who are comparatively inefficient earn less. But if proper rates are fixed on the basis of reliable time-studies the workers should be free to earn according to their individual capacity. There is competition in every field of work and we do not see why there should be no competition in an industrial establishment where, in respect of certain jobs at least, piece-rate is the appropriate method of payment.

On behalf of the first party two witnesses, namely, 1st party witness No. 4 Maksud Mia and witness No. 7 Qorban Ali have stated that under this system the workers get no wages for holidays and involuntary unemployment due to want of materials or breakdown of machineries, nor do they get any remuneration for articles broken or damaged in the process of manufacture. It may be mentioned, however, that Maksud Mia is no longer in the service of the second party and Qurban Ali is a spinner employed in the aluminium factory of M. E. Dadabhai & Sons, Chittagong. None of the spinners working in the second party's factory has come to depose for the first party. On the other hand, the second party has examined one of its spinners, namely, second party witness No. 2, Nannu Mia and he states that he prefers piece-rate to time-rate, because on piece-rate he earns more than what he used to earn on time-rate. Then again, it is admitted that the second party gives the workers 14 days' leave on full pay in a year and the spinners compensatory allowance for involuntary unemployment due to want of raw materials. For articles broken or damaged the spinners, of course, get no remuneration. Even then it is admitted that the spinners' income on piece-rate far exceeds their previous income on time-rate.

The piece-rates paid by the second party to spinners as per agreement—Ext. A, compare favourably with and are, in some instances, higher than those paid by Daulatgonj Aluminium Works, National Rolling Mills, Qazee Aluminium Works and M. E. Dadabhai & Sons. See charts—Exts. F-F(3). The second party pays piece-rate to cuttingmen and fitting-men also. It is not the case of the Union that the piece-rates paid to these three categories of workers are inadequate. The Union challenges the system on principle, and for the reasons above-mentioned we are of the opinion that the system, in so far as the spinners, cutting-men and fitting-men are concerned, is not inappropriate, nor does it operate as a hardship upon them. In the circumstances, we find no reason to disturb the method of payment to spinners, cutting-men and fitting-men. They shall continue to get piece-rate as at present.

As regards the other workers three witnesses, namely, first party witnesses Nos. 4, 5 and 7 have spoken to the rates of wages paid by the Huq Aluminium Works, Mohammadi Metal Industries and M. E. Dadabhai & Sons. All of them, however, are spinners; none of them is a turner, polisher or moulder. It may also be pointed out that witness No. 4—Maksud Mia states that in the Huq Aluminium Works polishers are paid at the rate of Rs.75/80 to Rs.150, but we find from the attendance register Ext. E, produced by the Huq Aluminium Works that the rate of wages paid by them to polishers varies from Rs.45 to Rs.75. That may be the case in respect of the other workers too. Therefore, it is unsafe to rely upon the oral evidence adduced. The first party has placed no reliable data before the Court to prove that the rate of wages paid to other workers is inadequate and calls for revision. Having regard to the present financial position of the second party which is a comparatively new-commer to the business and has not yet been able to establish itself on a firm foundation and having regard also to the fact, deposed to by Mr. Ekramul Haque, Managing Partner of the second party, that the market rate of aluminium products is showing a downward trend and has fallen from Rs.7 per seer in 1958-59 to Rs.6 in 1960-61, we are of the opinion that no sufficient ground has been made out for revision of the pay scale of the workers. Accordingly, we reject the demand for higher wages.

Demand No. 4—*Paid week-end rest and paid festival holidays for 15 days, earned leave for 15 days and medical leave for 15 days in a year*—The second party gives a sum-total of 14 days' leave on full pay in a year. Obviously this leave is intended to cover the statutory annual leave as well as festival holidays. It appears to us that the leave allowed is not quite sufficient. We direct that besides the statutory 10 days' annual leave on full pay the workers shall be given at least 7 days' festival holiday on full pay and, in view of the nature of the work, also 7 days' sick leave on half pay in a year. In the case of sick leave the management shall have the right to demand a medical certificate from a registered practioner. The annual holidays shall be governed by the provisions of section 49B and 49C of the Factories Act.

As for the demand for paid weekly holidays we are of the opinion that the claim cannot be entertained. Wages are paid for work done. When the work is done on time-basis the wages are determined by the time worked and when it is done on piece-basis, the wages are determined by the output achieved. In either case the workers cannot claim wages for weekly holidays as of right. Section 35 of the Factories Act which prohibits work on a Sunday, makes no provision for wages for weekly holidays. According to the prevailing practice also no wages are paid for weekly holidays. Therefore, the claim for paid weekly holiday is refused.

We make the aforesaid provision for leave and holidays keeping in view the fact that a growing concern like the City Aluminium Works should not be overburdened with liabilities at this stage.

Demand No. 5—*Pay of workers when the factory remains closed for want of raw materials and for other reasons*—Both parties agree that in the event of stoppage of work the principles laid down in section 11 of the Industrial and Commercial Employment (Standing Orders) Ordinance, 1960, should be followed. Accordingly we direct that the service conditions of the workers during stoppage of work for want of raw materials or other causes be regulated by the provisions of section 11 of the said Ordinance.

Demand No. 6—*Washing Allowance*—No case has been made out for washing allowance and it is refused.

Demand No. 7—*Notice for terminating employment*—It is conceded by the second party that the workers should be served with notice before termination of employment. The second party insists, however, that the workers also should give notice before they quit service and we think the demand is quite reasonable. But we do not see why 3 months' notice should be necessary. In our view, one month's notice in case of monthly-rated workers and two weeks' notice in the case of other workers is quite sufficient. Accordingly, we direct that the provisions of section 12 of the Standing Orders Ordinance, 1960, be followed for termination of employment of permanent workers.

Demand No. 8—*Bonus*—The financial position of the second party does not justify this claim for bonus and it is refused.

Demand No. 9—*Uniform for spinners*—The second party has agreed to provide two sets of uniform to spinners in a year. Accordingly we direct that the spinners be supplied with two sets of uniform in a year with effect from 1st January 1962.

Demand No. 10—*Provident Fund*—This demand was withdrawn at the commencement of the hearing.

Cases Nos. 16/62 and 18/61.

These two cases have been filed under section 31 of the Industrial Disputes Ordinance, 1959. First party witness No. 3—Sk. Ramjan is the applicant in case No. 16/61 and first party witness No. 4—Maksud Mia is the applicant in case No. 18/61. Both of them were spinners in the second party's factory. Their case is that they were dismissed from service during the pendency of Industrial Dispute Case No. 10/60, that is to say, on 29th March 1961 and 31st January 1961 respectively in contravention of the provisions of section 30 of the Industrial Disputes Ordinance, 1959 and that, therefore, they must be reinstated with back pay and the Management penalised under section 28 of the Ordinance.

The second party contends that it never discharged the complainants but that on the other hand the complainants themselves left service without notice and joined other factories.

The complainants have stated in their evidence that they were discharged because of their Union activities. They have not stated, however, what Union activities they indulged in to have courted the second party's displeasure. They have adduced no independent evidence in support of their case. On the contrary, it appears that after they had left service the second party issued letters asking them to report for duty on pain of legal action, *vide* copies of the letters—Exts. J and J(*1*). The letters were sent by post and one of them, namely, that addressed to Sk. Ramjan was sent under a certificate of posting. It appears also that after leaving the second party's service both of them joined the Huq Aluminium Works, *vide* Attendance register—Ext. E of Huq Aluminium Works. Maksud Mia admits in his evidence that he joined the Huq Aluminium Works on 7th February 1961. Sk. Ramjan denied having joined that factory. But we find from the attendance register Ext. E as well as the register of advances—Exts. D-D(2) maintained by the Huq Aluminium Works that Sk. Ramjan joined that factory on 13th April, 1961 and worked there until 20th April 1961. And at present he is working in Daulatgonj Aluminium Works. Thus it is clear that the complainants were not discharged by the second party but they themselves left the second party's service. Therefore, they have no ground for complaint, and the applications are dismissed.

M. A. JALIL,
Chairman, Industrial Court,
East Pakistan.

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PART V—Ordinances promulgated by the President

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GOVERNMENT OF PAKISTAN

MINISTRY OF KASHMIR AFFAIRS

ORDINANCE No. XLIII OF 1961

AN

ORDINANCE

to amend the Jammu and Kashmir (Administration of Property) Ordinance, 1961

Whereas it is expedient to amend the Jammu and Kashmir (Administration of Property) Ordinance, 1961 (III of 1961), for the purposes hereinafter appearing ;

Now, therefore, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

Short title.—This Ordinance may be called the Jammu and Kashmir (Administration of Property) (Amendment) Ordinance, 1961.

2. **Amendment of long title and preamble, Ordinance III of 1961.**—In the Jammu and Kashmir (Administration of Property) Ordinance, 1961 (III of 1961), hereinafter referred to as the said Ordinance, in the long title and the preamble, after the words "which vested in the State of Jammu and Kashmir" the commas and words, ",or the Maharaja of Jammu and Kashmir or the Maharaja of Poonch," shall be inserted.

3. **Substitution of section 2, Ordinance III of 1961.**—In the said Ordinance, for section 2 the following section shall be substituted and shall be deemed always to have been so substituted, namely:—

"2. **Vesting of properties in the Central Government.**—All immoveable properties, situated in the territory of Pakistan, the title to which vested in the State of Jammu and Kashmir, or the Maharaja of Jammu and Kashmir or the Maharaja of Poonch, on the fifteenth day of August, 1947, shall vest, free from all encumbrances, in the Central Government, and shall be deemed to have so vested on that date."

4. **Substitution of section 3, Ordinance III of 1961.**—In the said Ordinance, for section 3, the following section shall be substituted, namely :—

"3. **Management, sale or lease of properties, etc.**—(1) The Central Government may make arrangements for the management, sale, lease or disposal otherwise of the properties vested in it under section 2.

(2) For the purposes aforesaid, the Central Government may appoint a person, to be called the Manager of State Properties of Jammu and Kashmir (hereinafter referred to as the Manager), who shall take possession of and hold, and, subject to the previous approval in writing of the Central Government, have the power to deal with and dispose of, all or any of the aforesaid properties, and shall exercise such other powers in relation thereto as may be prescribed by rules made under section 6.

(3) Without prejudice to the generality of the provisions of sub-section (2), and notwithstanding anything contained in any other law for the time being in force, the Manager, after giving to the person or persons affected not less than fifteen days notice, may, in such manner as may be provided by rules, and with the use of such force as may be necessary,—

(a) take possession and assume control of any property referred to in this section;

(b) evict summarily any person in unauthorized occupation or wrongful possession of any such property; and

(c) demolish or dismantle any unauthorized construction on any such property, and recover from the person responsible for such construction any expenses incurred in connection with such demolition or dismantling.

Insertion of new sections 5A, 5B and 5C, Ordinance III of 1961.—In Ordinance, after section 5, the following new sections 5A, 5B and be inserted, namely:—

nager and certain other persons to be public servants.—The nager, and every other person duly appointed or authorised perform any function under this Ordinance, shall be deemed a public servant within the meaning of section 21 of the an Penal Code (Act XLV of 1860).

5B. **Bar of legal proceedings, etc.**—(1) No suit, prosecution or other legal proceeding shall lie against Government, the Manager or any other person for anything which is in good faith done or intended to be done under this Ordinance.

(2) Properties vested in the Central Government under section 2 shall be exempted from all legal processes, including seizure, distress, ejectment, attachment or sale by any officer of a Court or any other authority, and, otherwise than at the instance of the Manager, no injunction or other order of whatever kind shall be passed or made in respect of any such property by any Court or other authority.

5C. **Recovery of arrears.**—Any sum due, whether as rent or otherwise, in respect of any of the aforesaid properties, if not paid within the time specified by the Manager, shall be recoverable as arrears of land revenue.".

6. **Amendment of section 6, Ordinance III of 1961.**—In the said Ordinance, in section 6, for sub-section (2) the following sub-section shall be substituted, namely:—

"(2) Without prejudice to the provisions of sub-section (1), such rules may provide—

(a) the manner in which any notice under this Ordinance may be served;

(b) the manner in which the Manager, or any person authorized by him in this behalf, may take possession of any property;

(c) the manner in which any person in unauthorized occupation or wrongful possession of any property may be summarily evicted;

(d) the manner in which any unauthorized construction or any property may be demolished or dismantled;

(e) the manner in which the amount in the account mentioned in sub-section (1) of section 4 may be invested;

(f) the purposes for which the income from the amount invested under clause (e) may be utilized;

(g) the purposes for which any portion of the amounts deposited in the said account may be utilized; and

(h) the purposes for which the rents received from the lease of any property may be utilized.".

MOHAMMAD AYUB KHAN, H.Pk., H.J.,
Field Marshal,
President.

Rawalpindi, the 16th November, 1961.

A. H. KHAN,
Joint Secretary.

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FRIDAY, DECEMBER 8, 1961

PART I—Orders and Notifications by the Government of East Pakistan, the Administrator, Martial Law for East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. 928 FD (INT)—8th December 1961—In exercise of the powers conferred by paragraph 3 of the East Bengal Sugarcane Prices Control Order, 1948 and in supersession of notification No. 6001-D-(INT), dated the 7th September 1961, the Governor is pleased to fix the prices of sugarcane for the year 1961-62, as follows:—

(1) Rs 2·50 per maund supplied at the factory gate, and

(2) Rs. 2·25 per maund supplied at outstation purchasing centres.

This shall come into force with effect from the 9th December 1961.

By order of the Governor,
S. H. ALI,
Dy. Secy. to the Govt. of East Pakistan.

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

FOOD DEPARTMENT

NOTIFICATION

No. 929 FD(INT)—8th December 1961—In exercise of the powers conferred by paragraphs 4 and 6 of the East Pakistan Gur, Sugar and Sugar Products (Manufacture and Movements) Control Order, 1956, as subsequently amended, the Governor is pleased to direct that the notification No. 713 FD(INT), dated the 30th September 1961, shall stand repealed with immediate effect.

By order of the Governor,

S. H. ALI,

Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.



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PART IA—Orders and Notifications by the Government of Pakistan republished for general information.

GOVERNMENT OF PAKISTAN
PRESIDENT'S SECRETARIAT
Cabinet Division

Rawalpindi, the 28th November 1961.

NOTIFICATION

No. Cord (M)-104(1)/61—During the absence abroad of Mr Zulfikar Ali Bhutto, Minister in-charge of the Ministry of Fuel, Power and Natural Resources and the Works Division of the Government of Pakistan, the President has been pleased to assign additional charge of the said Ministry and the Division to General W. A. Burki, Minister in-charge of the Ministry of Health, Labour and Social Welfare.

N. A. FARUQUI,
Cabinet Secretary.

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2209

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PART IIIA—Ordinances promulgated by the Governor of East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XLIII of 1961

THE BENGAL PUBLIC DEMANDS RECOVERY (SECOND AMENDMENT) ORDINANCE, 1961

AN

ORDINANCE

further to amend the Bengal Public Demands Recovery Act, 1913.

Whereas it is expedient further to amend the Bengal Public Demands Recovery Act, 1913, for the purpose and in the manner hereinafter appearing; Ben. Act III of 1913.

Now, therefore, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and having received the previous instructions of the President, the Governor of East Pakistan, in exercise of all powers enabling him in that behalf, is pleased to make and promulgate the following Ordinance, namely:—

Short title and commencement.

1. (*1*) This Ordinance may be called the Bengal Public Demands Recovery (Second Amendment) Ordinance, 1961.

(*2*) It shall come into force at once.

Substitution of section 54A of Ben. Act III of 1913.

2. *For* the existing section 54A of the Bengal Public Demands Recovery Act, 1913, the following shall be *substituted*, namely:—

"54A. The Provincial Government may, by notification in the *Official Gazette*, empower an Additional Deputy Commissioner or a Joint Deputy Commissioner to exercise all or any of the powers exercisable by the Collector under this Act.".

Dacca;
The 5th December 1961.

M. AZAM KHAN,
Governor of East Pakistan.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

TUESDAY, DECEMBER 12, 1961

PART IIIB—Martial Law Regulations, Orders, etc., promulgated by the Administrator, Martial Law in East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

NOTIFICATION

No. 954 L.—12th December 1961—The following Martial Law Zone 'C' Order made by the Commander, 14 Division and Administrator, Martial Law in East Pakistan, is hereby published for general information:

MARTIAL LAW ZONE 'C' ORDER

Order No. 131

1. Martial Law Zone 'C' Order No. 124 as amended by Order Nos. 125, 126, 127, 128 and 129 is further amended as under:—

(a) Against Special Military Court No. 4—

For "Lt-Col S. M. H. RIZVI"

Read "Lt-Col A. H. CHOWDHERY"

2. The following Courts are dissolved with effect from 10th December 1961:—

(a) Special Military Court No. 3.

(b) Summary Military Court Nos. 3, 7 and 9.

3. Cases already arraigned will be completed by the existing courts.

Place: DACCA CANTT.
Dated: *5th December 1961.*

KHAWAJA WASIUDDIN, *Major-General*,
Martial Law Administrator, Zone 'C'
(East Pakistan).

By order of the Administrator,
Martial Law, Zone 'C'
(East Pakistan),

M. A. AMEEN,
Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department.
In-charge, East Pakistan Government Press, Dacca.

The

Dacca Gazette

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TUESDAY, DECEMBER 12, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME (SPECIAL) DEPARTMENT

NOTIFICATION

No. 1063 H. S.—11th December 1961—Government have been pleased to dissolve with immediate effect the Advisory Board, reconstituted under this Department resolution No. 736 H. S., dated the 16th October 1959 to carry out six monthly administrative review of the cases of Security Prisoners detained in this Province under the East Pakistan Public Safety Ordinance, 1958.

By order of the Governor,

A. HUSAIN,

Dy. Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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3. Cases already

Place: DACCA CA
Dated: 5th Decembe

Printed and published by A. M. Khan, Officer on Special Duty, Home Department.
In-charge, East Pakistan Government Press, Dacca.

Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

TUESDAY, DECEMBER 12, 1961

PART IIIA—Ordinances promulgated by the Governor of East Pakistan.

GOVERNMENT OF EAST PAKISTAN

LAW (LEGISLATIVE) DEPARTMENT

East Pakistan Ordinance No. XLIV of 1961.

THE EAST PAKISTAN DOMESTIC SERVANTS' REGISTRATION ORDINANCE, 1961

AN

ORDINANCE

to provide for the registration of domestic servants.

Whereas it is expedient to make provisions for the registration of domestic servants working in certain areas in the manner and for the purpose hereinafter appearing;

Now, therefore, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and having received the previous instructions of the President, the Governor is pleased, in exercise of all powers enabling him in that behalf, to make and promulgate the following Ordinance, namely:—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the East Pakistan Domestic Servants' Registration Ordinance, 1961.

(*2*) It extends to the Specified Areas.

(*3*) It shall come into force on such date as the Provincial Government may, by notification in the *Official Gazette*, appoint in this behalf.

Definitions.

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

(*a*) "domestic servant" includes every person who renders domestic services (*i. e.* services pertaining to household affairs) to his employer in lieu of wages or any other consideration;

(*b*) "registration" means registration under this Ordinance;

(*c*) "Specified Areas" means the areas specified in the Schedule and such other area or areas as may, from time to time, be included therein by the Provincial Government by notification in the *Official Gazette*.

Registration of domestic servants.

3. (*1*) Any person who takes employment as a domestic servant within the Specified Areas shall, within two months from the date of coming into force of this Ordinance or within fifteen days of his taking such employment, whichever is later, report for registration to the officer in charge of the police-station of the area or any other police officer not below the rank of an Assistant Sub-Inspector of Police authorised by the officer in charge in this behalf (hereinafter referred to as the authorised officer).

(*2*) Any person who seeks employment as a domestic servant within the Specified Areas may report for registration to the officer in charge of the police-station of the area or the authorised officer.

(*3*) Any person reporting for registration under sub-section (*1*) or sub-section (*2*) shall—

(*a*) give his correct name and address or addresses and such other particulars as the officer in charge of the police station or the authorised officer may consider necessary,

(*b*) supply a copy of his own photograph in duplicate, and

(*c*) allow his finger impressions and measurements to be taken by the officer in charge of the police-station or the authorised officer.

(*4*) The officer in charge of the police-station or the authorised officer shall make enquiries about the correctness of the particulars given by the person and his character and antecedents.

(*5*) When the officer in charge of the police-station or the authorised officer is satisfied about the correctness of the particulars given by the person and his character and antecedents, he shall issue a registration card in such form and containing such particulars as may be prescribed. The photograph of the person shall be affixed on the registration card.

Prohibition to work as a domestic servant without registration card.

4. No person shall work as a domestic servant within the Specified Areas without obtaining a registration card as required by section 3 beyond the period allowed under sub-section (*1*) of that section.

Penalty.

5. Whoever contravenes the provisions of section 4 shall be punished with simple imprisonment which may extend to one month or with fine which may extend to one hundred rupees or with both.

Cognisance.

6. No court shall take cognisance of an offence punishable under this Ordinance except upon a complaint in writing made by the officer in charge of the police-station or the authorised officer stating the facts constituting the offence.

Power to make rules.

7. The Provincial Government may make rules consistent with the provisions of this Ordinance for carrying out its purposes.

The Schedule.

[*Vide* section 2(*c*)]

The Specified Areas.

(1) Areas within the jurisdiction of Kotwali police-station in the district of Dacca.

(2) Areas within the jurisdiction of Sutrapur police-station in the district of Dacca.

(3) Areas within the jurisdiction of Lalbag police-station in the district of Dacca.

(4) Areas within the jurisdiction of Ramna police-station in the district of Dacca.

(5) Areas within the jurisdiction of Tejgaon police-station in the district of Dacca.

M. AZAM KHAN,
Governor of East Pakistan.

Dacca:
The 8th December 1961.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge. East Pakistan Government Press, Dacca.

Registered No. DA-I.

The Dacca Gazette

Extraordinary

Published by Authority

THURSDAY, DECEMBER 14, 1961

PART IA—Orders and Notifications by the Government of Pakistan republished for general information

[*Republished from the Gazette of Pakistan, Extraordinary, dated 28th November, 1961.*]

GOVERNMENT OF PAKISTAN

MINISTRY OF NATIONAL RECONSTRUCTION AND INFORMATION

(Basic Democracies Wing)

PRESIDENT'S ORDER No. 15 of 1961

THE BASIC DEMOCRACIES (THIRD AMENDMENT) ORDER, 1961.

Whereas it is expedient further to amend the Basic Democracies Order, 1959 (P. O. No. 18 of 1959) and also to amend the Basic Democracies (Amendment) Order, 1961 (P. O. No. 13 of 1961) for the purposes ereinafter appearing;

Now, therefore, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make the following Order:—

1. Short title and commencement.—(1) This Order may be called the Basic Democracies (Third Amendment) Order, 1961.

(2) It shall come into force at once.

2. Amendment of Article 18 of P. O. No. 18 of 1959.—In the Basic Democracies Order, 1959 (P. O. No. 18 of 1959), in Article 18, in the proviso to clause (2), for the words "two years" the words "five years" shall be substituted and shall be deemed always to have been so substituted.

3. Amendment of Article 1 of P. O. No. 13 of 1961.— In the Basic Democracies (Amendment) Order, 1961 (P. O. No. 13 of 1961), in Article 1, in clause (1), for the word "Amendment" the words "Second Amendment" shall be substituted and shall be deemed always to have been so substituted.

MOHAMMAD AYUB KHAN, H. Pk., H. J.,
FIELD MARSHAL,
President.

Rawalpindi, the 27th November, 1961.

HASHIM RAZA, S.Q.A., C.S.P.,
Secretary.

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Registered No. DA-1.

The Dacca Gazette

Extraordinary

Published by Authority

THURSDAY, DECEMBER 14, 1961

PART V—Ordinances promulgated by the President

[*Republished from the Gazette of Pakistan, Extraordinary, dated the 28th November 1961.*]

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW

NOTIFICATION

Rawalpindi, the 28th November, 1961

No. F.2(7)/61-Legis.—The following Ordinance made by the President on the 27th November, 1961, is hereby published for general information:—

ORDINANCE No. XLIV of 1961

AN

ORDINANCE

to make provision for the establishment of Conciliation Courts

Whereas it is expedient to make provision for the establishment of Conciliation Courts to enable people to settle certain disputes through conciliation, and for matters connected therewith;

Now, therefore, in pursuance of the Proclamation of the seventh day of October, 1958, 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, extent and commencement.—(1) This Ordinance may be called the Conciliation Courts Ordinance, 1961.

(2) It extends to the whole of Pakistan.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

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

(a) "cognizable offence" means a cognizable offence as defined in section 4 of the Code of Criminal Procedure, 1898 (Act V of 1898);

(b) "Conciliation Court" means a Conciliation Court constituted under this Ordinance;

(c) "Controlling Authority" means, in the case of a Union Council in West Pakistan, the Deputy Commissioner, and in the case of a Union Council in East Pakistan, the Subdivisional Officer;

(d) "decree" means a decree as defined in section 2 of the Code of Civil Procedure, 1908 (Act V of 1908);

(e) "District Judge" shall include an Additional District Judge, a Subordinate Judge and a Civil Judge;

(f) "Government", in relation to any local area in a Province, means the Provincial Government, and in relation to Cantonments, the Central Government;

(g) "party" shall include any person whose presence as such is considered necessary for a proper decision of the dispute and whom the Conciliation Court adds as a party to such dispute;

(h) "Union" means an area declared to be a Union under the Basic Democracies Order, 1959 (P. O. No. 18 of 1959), and includes a Town as defined therein;

(i) "Union Council" means a Union Council constituted under the aforesaid Order, and includes a Union Committee and a Town Committee so constituted.

3. **Cases referable to conciliation.**—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), or in the Code of Civil Procedure, 1908 (Act V of 1908),—

(a) all cases falling under Part I of the Schedule shall, save as otherwise provided, hereinafter be referred to conciliation under this Ordinance, and no civil or criminal court shall have jurisdiction to try any such case; and

(b) any of the cases falling under Part II of the Schedule may be so referred if all the parties thereto agree to such a reference.

(2) The following cases relating to matters falling under section B of Part I of the Schedule or under Section B of Part II thereof shall be excluded from conciliation, namely:—

(a) cases in which the interest of a minor is involved:

(b) cases where provision for arbitration has been made in a contract between the parties;

(c) cases by or against the Central or a Provincial Government or a public corporation or a public servant acting in the discharge of his duty;

(d) cases which according to the customary law of a community are referable to a community *panchayat*.

(3) Government may, by notification in the official Gazette, add to the Schedule any class of cases relating to such disputes between private parties as are of a local nature and are capable of settlement by Compromise.

(4) Nothing in this section shall apply to cases relating to an offence specified in the Schedule if the accused had previously been convicted of a cognizable offence.

4. **Application for constitution of a Conciliation Court.**—(1) Where a case is, under this Ordinance, referable to conciliation, any party to the dispute may, in the prescribed manner, and on payment of the prescribed fee, apply to the Chairman of the Union Council concerned for the constitution of a Conciliation Court for the settlement of the dispute, and unless the Chairman, for reasons to be recorded in writing, rejects the application, he shall proceed to constitute, in the prescribed manner, a Conciliation Court for the purpose:

Provided that no application under this section shall be made against a person of unsound mind.

(2) Any person aggrieved by an order of rejection under sub-section (1) may, on the ground that the order is *mala fide* or substantially unjust, prefer, in the prescribed manner and within the prescribed time, an application for revision to the Controlling Authority, or to such other authority as may be prescribed.

5. **Conciliation Courts, their composition, etc.**—(1) A Conciliation Court shall be a body consisting of a Chairman and two representatives to be nominated, in the prescribed manner, by each of the parties to the dispute:

Provided that one of the two representatives so nominated shall be a member of the Union Council concerned.

(2) The Chairman of the Union Council shall be the Chairman of the Conciliation Court, but where he is, owing to illness or any other cause, unable to act as Chairman, or does not, on account of any personal consideration, wish to do so, or his impartiality is challenged by any party to the dispute, any other peason appointed in the prescribed manner, not being a person nominated by any party, shall be the Chairman of the Court.

(3) If either party to the dispute consists of more than one person the Chairman shall call upon the persons constituting that party to nominate the two representatives on its behalf, and if they fail so to nominate, shall authorize any one of such persons to do so, and thereupon the person so authorized shall alone have the right to nominate such representatives.

whose name was published in the *Dacca Gazette, Extraordinary*, Part I, dated the 18th February 1960, at page 1206, under notification No. 904(En)-J, dated the 16th February 1960, has been accepted by me.

No. 1044 BD—13th December 1961—In exercise of the powers conferred by Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, Z. R. Zahid, Subdivisional Officer, Bagerhat, as the Controlling Authority, do hereby notify for general information that with prior approval of the Collector, Khulna, as required under clause (3) of Article 25 of the Basic Democracies Order, 1959, Mr Manindra Nath Ray Choudhury, son of S. N. Ray Choudhury of Kamla, an appointed member of Ramchandrapur Union Council, police-station Morrelganj, has been removed from his membership under clause 2(*b*) of Article 25 of the Basic Democracies Order, 1959. Under clause (5) of Article 25 of the Order, I further specify that he will not be eligible for election or appointment to any Local Council for a period of three years from the date of notification.

Z. R. ZAHID,
Subdivisional Officer, Bagerhat.

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The Dacca Gazette

Extraordinary

Published by Authority

FRIDAY, DECEMBER 22, 1961

PART IA—Orders and Notifications by the Government of Pakistan republished for general information.

GOVERNMENT OF PAKISTAN

PRESIDENT'S SECRETARIAT

Cabinet Division

NOTIFICATION

Rawalpindi, the 18th December 1961.

No. Min-104(1)/61.—During the temporary absence of Mr Abul Kasem Khan, Minister in charge of the Ministry of Industries of the Government of Pakistan, the President has been pleased to assign additional charge of the said Ministry to Mr M. Hafizur Rahman, Minister in charge of the Ministry of Commerce.

N. A. FARUQUI,
Cabinet Secretary.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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rules, *for* the words "Labour Commissior
occurring, *substitute* the words "Director of

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Extraordinary

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FRIDAY, DECEMBER 22, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME DEPARTMENT

Constitution and Elections

RESOLUTION

No. 2S-8/61/1040C.E.—22nd December 1961—The Governor is pleased to direct that, in the interest of administration, the work in connection with the Deaf and Dumb Schools, administered by the Education Department, shall, with effect from the 1st November 1961 be administered by the Health and Social Welfare Department of this Government.

By order of the Governor,

K. A. HAQUE,

Chief Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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Published by Authority

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PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE SUBDIVISIONAL OFFICER, SERAJGANJ, PABNA

NOTIFICATION

No. 59 BD—18th December 1961—In exercise of the powers conferred upon me under Article 24 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 53 of the Basic Democracies (Conduct of Election) Rules, 1959, I, R. A. Majumdar, Subdivisional Officer, Serajganj, as the Controlling Authority do hereby declare that the seat of elected Councillor, Samiran Chandra Ghose of Ward No. II of Potazia Union Council in Shahajadpur police-station within Serajganj subdivision of Pabna district, whose name has been published at page 361 of the *Dacca Gazette, Extraordinary*, of 28th January 1960, under notification Nos. 492-570, dated 22nd January 1960 becomes vacant due to his death on 6th December 1961.

R. A. MAJUMDAR,
Subdivisional Officer.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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WEDNESDAY, DECEMBER 27, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

HOME (GENERAL ADMINISTRATION AND APPOINTMENT) DEPARTMENT

Section VIII

NOTIFICATION

No. G.A. VIII/1244—27th December 1961—In pursuance of the Presidential Proclamation of the seventh day of October 1958, and in exercise of all powers enabling him in that behalf, the Governor is pleased to make the following amendment in the rules regulating the appointment, promotion, transfer and discipline of the officers of the East Pakistan Civil

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Service (Executive) Class II, published under notification No. G.A. VIII-1050, dated the 30th October 1961, in the *Dacca Gazette*, October 1961, namely:—

Amendment

In the said Rules, *for* rule 11, the following shall be *substituted*, namely:—

"11. A person appointed on substantive basis against any permanent post in the East Pakistan Civil Service (Executive) Class II, shall be on probation for two years."

By order of the Governor,
K. A. HAQUE,
Chief Secy. to the Govt. of East Pakistan.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

Registered

Dacca Gazette

Extraordinary

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WEDNESDAY, DECEMBER 27, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

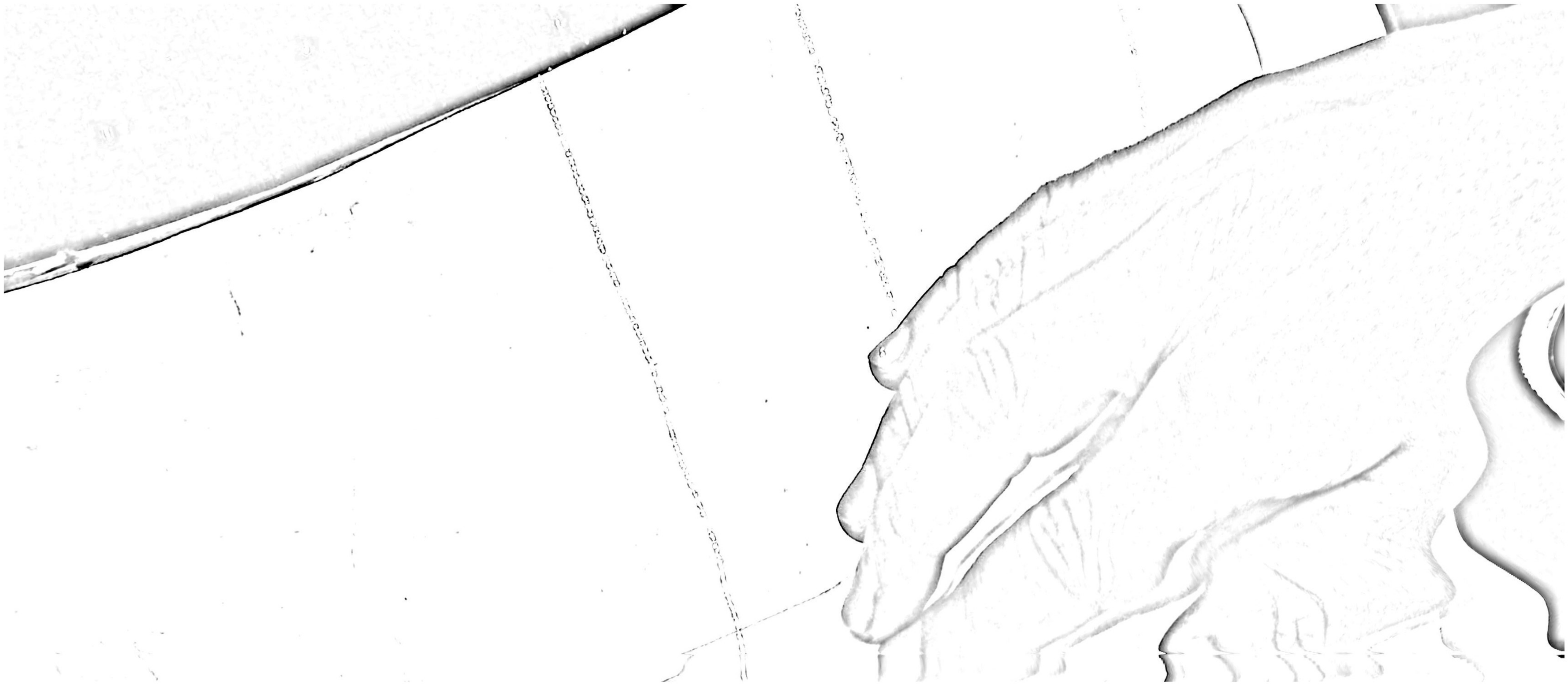
GOVERNMENT OF EAST PAKISTAN
OFFICE OF THE SUBDIVISIONAL OFFICER, NARAYANGANJ, DACCA

NOTIFICATION

No. 7263 BD-2/61—26th December 1961—In exercise of the powers conferred upon me under rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, it is hereby notified for general information that Mr A. Gafur, Mr Mobarak Ali Khan and Mr Golam Mowla of Ward No. 7, 2 and 5 of Narsingdi, Hajipur and Adiabad Union Councils under Narsingdi, Shibpur and Raipura police-stations respectively and their resignations have been duly accepted by me.

HEDAYET AHMED, C.S.P.,
Subdivisional Officer, Narayanganj, Dacca

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.



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WEDNESDAY, DECEMBER 27, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

Section II

NOTIFICATION

No. S-II/1L-2/61/492—22nd December 1961—In exercise of the powers conferred by sub-section (2) of section 121 read with item Nos. 4(*a*) and 7 of the Fourth Schedule of the Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960), the Governor is pleased to make the following amendment to the East Pakistan Municipal Committees Business Rules, 1961, published under notification No. S-IX/1M-90/60/67, dated the 13th January 1961, in the *Dacca Gazette, Extraordinary*, Part I, dated the 14th January 1961.

Subdivisional Officer, Sadar, Faridpur.

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Dumuria police-station is removed from the said Council under Article 25(2)(*a*) of the Order and rule 6 of the East Pakistan Local Councils (Resignation and Removal of Members) Rules, 1960, and pass order that said Mr Banamali Biswas shall not be eligible for any election or appointment to any Local Council for a period of three years with effect from the twenty-one day of December, nineteen hundred and sixty-one.

S. N. I. AKBARI,
Subdivisional Officer, Khulna Sadar.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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WEDNESDAY, DECEMBER 27, 19

PART I—Orders and Notifications by the G
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GOVERNMENT OF EAST PAK

OFFICE OF THE SUBDIVISIONA
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NOTIFICATIONS

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Council and his resignation

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Government Press,

I do hereby call upon the electors of Ward No. VI of Shahadebpur Union Council of Kalihati police-station to elect a person to fill up the vacancy.

No. 2247 Dev.—23rd December 1961—In exercise of the powers conferred on me under Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, M. Murshed, C. S. P., Subdivisional Officer, Tangail, do hereby notify for general information that Mr Gendu Mamud Sarker of Lowfula an appointed member of Alokdia Union Council, police-station Madhupur, has tendered his resignation from the membership of the said Union Council and his resignation has duly been accepted.

M. MURSHED,
Subdivisional Officer, Tangail.

Printed and published by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

to their designation." On receipt of this explanation Mr. Asgar Ali Khan personally visited the depot and met the Khalasis. He told them that their explanation was not satisfactory and that in the interest of the work they must shift to the quarters provided for them by the Company at the rope-way head. They insisted upon staying at the base camp which is half a mile away. He gave them 24 hours' time to shift and when in spite of this order they refused to move he sent a report to the Forest Manager recommending their dismissal for disobeying the order, vide Ext. M, dated 19th December, 1958. The Forest Manager, on his part, sent a similar report to the General Manager through the Administrative Officer, vide Ext. W, dated 29th December, 1958. The Administrative Officer concurred with the Forest Manager, whereupon, on 30th December, 1958, the Manager passed orders dismissing the Khalasis with effect from 15th January, 1959, vide Exts. W(2) and W(3).

Now, Mukhter Ahmad and Nurul Haque have not appeared before us to press their claim. It is, however, urged on their behalf that since they, on the admission of Mr. Asgar Ali Khan, were regularly attending to their work from the base camp and doing full 8 hours' work they could not be compelled to stay at the rope-way head and that, therefore, even if they refused to comply with the order requiring them to shift to the rope-way head they could not be found guilty of disobedience of any lawful and reasonable order which alone amounts to misconduct under the Industrial Employment (Standing Orders) Act, 1946 read with East Pakistan Industrial Employment (Standing Orders) Rules, 1958. In our view this contention cannot be upheld. Mr. Asgar Ali Khan's evidence is that there are many rope-way lines in the forest and in all these lines except line No. 3, the Khalasis and mechanics used to stay at the rope-way head. The rope-way heads are situated on the main road and are habitable. The Khalasis and mechanics were required to stay at the rope-way head as there are rope-way materials, petrol, hooks, machines and telephone there and these things have to be taken care of. Staying at the rope-way head does not mean additional work for the Khalasis. The main object of the order was to ensure regular attendance and at the same time to provide some protection to the Company's properties there, because the mere presence of the Khalasis or mechanics goes a great way in preventing petty thefts and mischief which the Chakma inhabitants indulge in. Mr. Asgar Ali Khan has also stated that if the Khalasis stay at the base camp they cannot attend to their duties regularly since the work commences at 6-30 a.m.

After this evidence it can hardly be contended that the order requiring the Khalasis to stay at the rope-way head instead of at the base camp was an unlawful and unreasonable order. We are of the opinion that the order was perfectly lawful and reasonable and since Mukter Ahmad and Nurul Haque wilfully and deliberately refused to comply with the order in spite of sufficient opportunity having been given to them, the order of the Management dismissing them for misconduct can by no means be questioned. Accordingly, Mukhter Ahmad's and Nurul Haque's claim for reinstatement fails and is rejected.

NUR HOSSAIN

Nur Hossain was a Sukani in the Flottila Department of the Mill. In or about 1958, it was discovered that he was suffering from tuberculosis. On 17th June, 1958, he was admitted to the Mission Hospital, Chandraghona, for treatment at the Company's expense. The hospital authorities once discharged him on 1st December, 1958, but on the recommendation of the Manager he was detained for further treatment. On 6th July, 1959, the hospital Superintendent informed the Administrative Officer that he was returning the patient as "the hospital cannot afford to go on treating patients indefinitely unless there is some prospect of the cost of their drugs and their food being met by the patients or by their employers." On 7th July, 1959, the Administrative Officer, Lt. Col. Sekander Khan, reported to the Supply Manager that since Nur Hossain has not recovered in spite of the sanctioned treatment up to 30th June, 1959, he may be discharged with effect from 1st July, 1959, according to the P.I.D.C. Rules which permitted extraordinary leave without pay for a maximum period of 6 months to Tuberculosis patients. Upon this, on 14th July, 1959, Nur Hossain was discharged from service with effect from 10th July, 1959. On 16th July, 1959, Nur Hossain submitted a petition to the Manager praying that as in the case of other patients whose services were terminated on the same ground he be given gratuity, one month's pay in lieu of notice and Company's contribution to the Provident Fund. Except gratuity this was granted.

Then on 6th August, 1959, Nur Hossain submitted a petition for reinstatement stating, *inter alia*, that he has since fully recovered, and in support of this claim he relied upon a X-Ray report, which, according to him, was given by the Chittagong Tuberculosis Control Centre upon X-Ray examination of his lungs. He was asked to produce the X-Ray report. It does not appear from the record if he produced the same. He was referred to the Chief Medical Officer of the Mill Dr. E. J. Javeri, M.B., (London) for examination and report. Dr. Javeri, who has since left the Mill's service, held a X-Ray examination of Nur Hossain's chest and also examined his blood and sputum, and upon such examination he opined that the tubercular lesions in Nur Hossain's lungs were not healed up as yet and therefore, he is not fit for duty. On receipt of this report the Management refused to re-consider the order of discharge.

Now, in support of his claim that he is fully cured, Nur Hossain has produced before us two cards—Exts. 5 and 6 said to have been granted to him by the Tuberculosis Control Centre, Chittagong. Ext. 5 which bears serial No. 23455 shows that he visited the Centre once on 31st July, 1959 and again on 4th August, 1959. Ext. 6 bears serial No. 33461 and shows that he next visited the camp once on 17th December, 1960 and again on 21st December, 1960. On the back of the cards there is a space for showing the result of examination under three heads, *viz.* 'Tuberculin Test', 'B.C.G. Vaccination' and 'X-Ray'. Under the head Tuberculin Test there are two sub-heads meant for showing 'Reaction' and 'No reaction'. And against the sub-head re-action a cross mark was given. Under the head B.C.G. Vaccination also there are two sub-heads, viz. 'Given' and 'Not-given'. And against the sub-head not-given a cross mark was put. Under the head X-Ray there is a sub-head 'Satisfactory' and against this sub-head also a cross mark was given. It is urged by the learned lawyer appearing for the first party that the marks given against the relevant sub-heads are plus marks and not cross marks and that this indicates that the condition of the patient was found satisfactory on the date of the examination by the Tuberculosis Control Centre, Chittagong. This contention is *prima facie* untenable. All the marks against the sub-heads abovementioned look like cross marks and are similar in make and shape. If they are treated as plus marks the result would be anomalous, because while plus mark against the sub-head 'satisfactory' under head 'X-Ray' would indicate that the condition of the patient is satisfactory, plus mark against the sub-head 'reaction' under the head 'Tuberculin Test' would indicate just the reverse. Further, a plus mark against the sub-head 'not-given' under head 'B.C.G. Vaccination' would convey no meaning. In our view these marks can have some meaning only as cross-marks. Any way, the doctor who is said to have held the X-Ray examination and made the entries in the cards has not been examined and in the absence of his evidence it cannot be said that Nur Hossain was fully cured at the time of his discharge.

The company could not keep on its establishment a worker suffering from tuberculosis. Even if there was any scope for doubt as regards whether or no he was cured of the disease at the time of his discharge the company had the right to terminate his services by one month's notice or one month's wages in lieu thereof. In "Karnaphuli Paper Mill *versus* Workers' Union" reported in Pakistan Labour Cases, 1961, at p.p. 991-1002 their Lordships of the Supreme Court held that "in the case of private employment the ordinary relation of master and servant must be sustained, namely, that without cause assigned the master may dispense with the services of his servants with notice or payment of salary in lieu of notice. The servant may equally exercise the power of relinquishing his appointment on similar terms. These are mutual and reciprocal promises, and there is no principle available in the relevant law which could operate to minimise the effect of the counterpart promises."

In the circumstances, therefore, we hold that the order discharging Nur Hossain cannot be questioned and accordingly, Nur Hossain's claim for reinstatement must be rejected.

SADHAN DHAR

He was employed as a Finisher in the Mill on piece-rate. On 10th December, 1959, the Government Inspector visited the Mill for examination of the quality of paper finished and packed for supply to Government. The Finishing-in-Charge Mr. Ruhul Amin (second party witness No. 2) was present there. The Government Inspector pointed out one bale at random and it was brought down and opened. The bale consisted of 12 reams of paper. The Inspecor checked one ream and found numerous defective or damaged papers in it. He then checked another ream and found similar defects. Upon this he became suspicious and checked all the 12 reams in the bale and found that the whole bale was defective. He next examined two other bales, also taken at random and found the same alright. But although only one out of the three bales examined by him was found defective he did not pass the consignment consisting of 50 tons. Now, if any paper means for supply to Government is rejected it has got to be repulped; it cannot be sold in the market because of the special water-mark in it. Further, once the Inspector suspects foul play he has the right to inspect each and every ream. All this means heavy loss to the Company, Government being the company's biggest customer.

Mr. Ruhul Amin reported the matter to the Production Manager Mr. Qamrul Haque and the Paper Mill Superintendent Mr. Hufschmidt. They visited the section and examined the defective bale. On being satisfied that the bale consisted of defective or damaged papers they decided upon taking action against the finisher. A label is affixed on to each ream and also on to each bale and it bears the serial number of the finisher. In this case the label bore the serial number of the finisher Sadhan Dhar and accordingly he was called upon to explain why he should not be discharged for faulty work and inefficiency, vide Ext. N, dated 11th December, 1959. Sadhan Dhar submitted the explanation, Ext. O denying that defective papers were found in the bale finished and packed by him. The explanation was found unacceptable and he was discharged with effect from 23rd December, 1959, vide Ext. V. On 26th December, 1959, he preferred an appeal to the Manager. The Manager, after obtaining reports from the Officers concerned observed that the finisher's "mistake and inefficient work has hampered the reputation and interest of the Mill so heavily" that he is not in a position to consider his appeal, vide copy Ext. E(5). It may be mentioned that for this same incident the checker Salimullah was also charge-sheeted and was suspended for 4 days.

On behalf of Sadhan Dhar it is contended that it has not been proved that the defective bale was finished and packed by Sadhan Dhar. This contention has no substance. There is the evidence of Mr. Ruhul Amin in regard to this matter and we find no reason to disbelieve him. Sadhan Dhar practically admits in his evidence that the Government Inspector, after checking one bale found defective or damaged papers in it. He also admits that the checker Salimullah was suspended for 4 days in that connection. But his case is that the defective bale was not finished by him and that at the time of the enquiry by the Production Manager and others also no defect was found. This case of his is plainly unbelievable. It is impossible to believe that all the top officials of the Mill would come to examine this one bale unless adverse remarks were made by the Government Inspector as regards the quality of the papers and that they would hold Sadhan Dhar responsible for the defect without being satisfied that the bale was finished and packed by him. We hold that Sadhan Dhar was the person responsible for the defective bale. In his anxiety to achieve greater output and thereby earn more wages as a piece-rated worker he packed the papers without checking and thereby caused loss to the Mill. In the charge-sheet. Ext. N drawn up against him it was mentioned "It is obvious that after finishing you have only counted and packed these reams and due to your such mischievous activities this Mill incurred loss and the reputation of it suffers badly".

Therefore, although he was dismissed on the ground of inefficiency and carelessness, he was in fact guilty of gross neglect of work resulting in losses to the Mill, if not also of dishonesty in connection with the Mill's business, and this amounted to misconduct for which he was liable to be dismissed. Accordingly, we hold that Sadhan Dhar was rightly dismissed and his claim for reinstatement must fail.

NURUL ISLAM

He is a Matriculate. In November, 1953, he was appointed as a Forest Supervisor on a monthly pay of Rs.120. In 1957, he was transferred to the Sales Department as a Sales Representative and at that time he was getting Rs.170. On his transfer to the Sales Department he was first attached to the Head Office at Chittagong, then transferred to Dacca and again transferred to Chittagong. As Sales Representative he would hold market surveys, collect bills from Government Departments, make demands for payments due from private parties and sometimes attend to the loading and unloading of goods at railway station or steamer-ghat. After his transfer back to Chittagong in the month of March, 1958, he was employed as an Assistant to the Godown-keeper which post was equivalent to the post of a Tally Clerk. On 23rd November, 1958, he submitted a representation to the Sales Manager complaining that the post of Tally Clerk in which he was then employed was beneath his dignity and prestige, vide Ext. I. Then on 8th August, the Sales Manager reported to the General Manager that Nurul Islam's work is not very satisfactory, that he considers him a surplus and that therefore, his services may be terminated, vide copy Ext. X(3). On 7th March, 1960, the Administrative Officer informed Nurul Islam that his services would not be required with effect from 14th March, 1960, and that he was granted one month's pay in lieu of notice, *vide* Ext. X. The Administrative Officer Lt. Col. Sekander Khan (second party witness No. 3) states that Nurul Islam's services were terminated because he was found to be surplus. In November, 1959, the Daud Industries took over the managing agency from the P.I.D.C. and they having decided to take over the Sale and Purchase functions in their own hands the Sales Department and the Purchase Department were closed down. It is for this reason that Nurul Islam was found to be a surplus and his services were terminated.

...by one Bashir who was succeeded as Sales promoted to the rank of Assistant Sales Manager. And in answer to a leading question by Mr. Qader, Member representing Employees, he stated also that his feeling is that he was discharged just to accommodate Bashir. He made no such case, however, in his written statement or evidence. From the evidence of the Administrative Officer we find that as Salesman Bashir was senior to Nurul Islam though Nurul Islam's total service was longer than that of Bashir. Therefore, the story that he was discharged only to make room for Bashir has no leg to stand upon.

Nurul Islam in his written statement claimed to be a Sales Representative until the date of his discharge and also asked for reinstatement in that capacity. In "Pakistan Tobacco Co. Ltd. versus Pakistan Tobacco Co. Employees' Union, Dacca, and others" reported in Pakistan Labour Cases (1961) at p.p. 1033-1056 it was held by their Lordships of the Supreme Court that a Salesman is not a workman within the meaning of the Industrial Disputes Act. The definition of the term "workman" as given in the Industrial Disputes Act, 1947, is almost the same as the definition given in the Industrial Disputes Ordinance, 1959. Therefore, on the pleadings as also on the authority of the Supreme Court decision in the case abovementioned Nurul Islam cannot be said to be a workman so ... the provisions of the Industrial Disputes ... Even assuming that he was a workman ... dispute concerning him is an industrial disp... Islam can get no relief since his services w... nated with one month's pay in lieu of notice, ... have already seen the Management has ... terminate the services of an employee any tim... provided the employee is given one month's ... one month's wages in liue thereof.

In any view of the matter, therefore, Nurul ... claim for reinstatement must fail.

In the written statement filed by them all t... employees alleged victimisation on account of ... activities. This plea was not pressed at the hearing ... we find it to be quite unfounded.

In the result, then, the claim put forward by ... Union for reinstatement of the six employees of ... Mill, namely, Yusaff Khan, Mukhter Ahmad, Nu... Haque, Nur Hossain, Sadhan Dhar and Nurul Islam ... dismissed.

M. A. JALIL,
Chairman,
Industrial Court,
East Pakistan, Dacca.

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Extraordinary

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THURSDAY, DECEMBER 28, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN
OFFICE OF THE SUBDIVISIONAL OFFICER, SADAR, RANGPUR

NOTIFICATION

No. 5218 S.—19th/22nd December 1961—In exercise of the powers conferred by Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, P. K. Samaddar, Subdivisional Officer, Sadar, Rangpur, as the Controlling Authority, do hereby notify for general information that a vacancy has been caused due to death of Mvi. Shamsheruddin Sarder, son of Mvi. Keramatullah Sarder of Chandrapur, an appointed member of No. 5 Chandrapur Union Council, under police-station Kaliganj of Rangpur district, whose name was published at page 1288 of the *Dacca Gazette, Extraordinary*, dated 19th February 1960 and I hereby declare the seat vacant under Article 24 of the said Order.

P. K. SAMADDAR,
Subdivisional Officer, Sadar, Rangpur.

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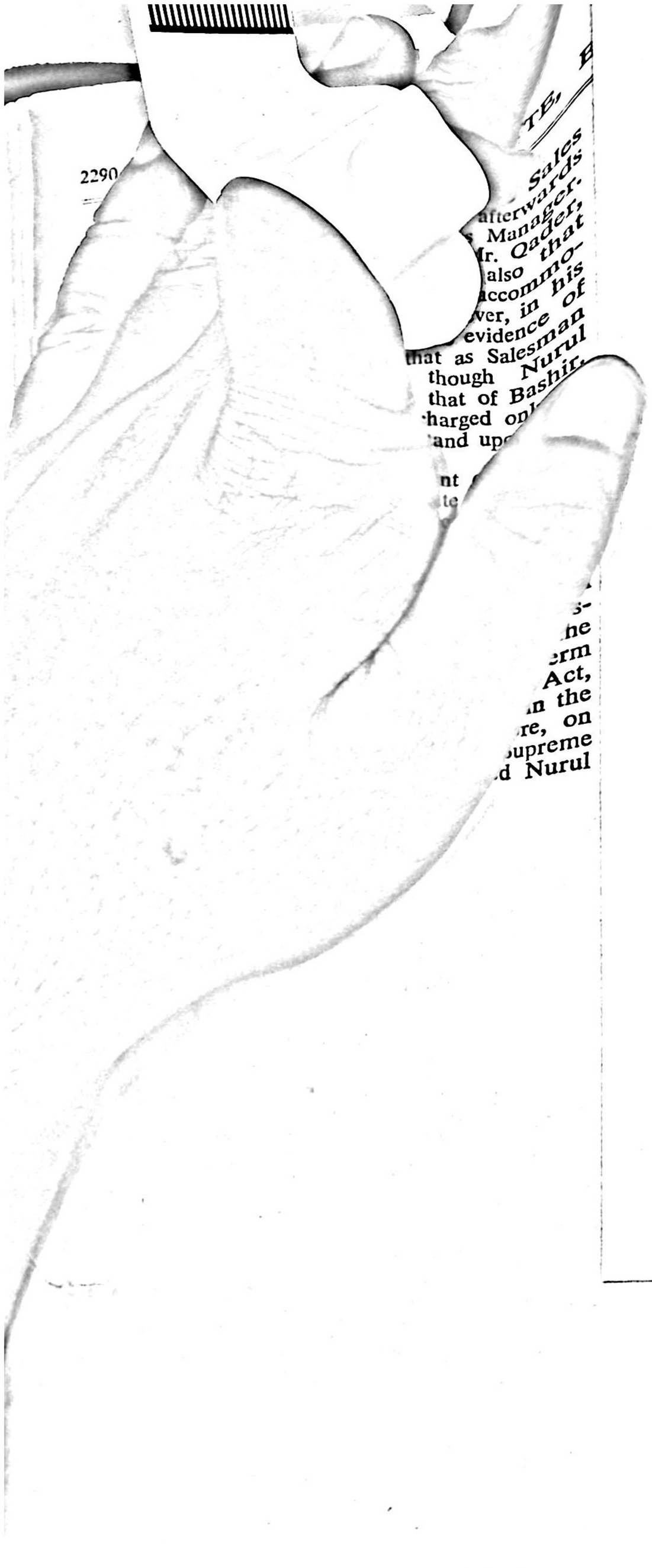

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GOVERNMENT OF EAST PAKISTAN

HOME (GENERAL ADMINISTRATION AND APPOINTMENT) DEPARTMENT

Section VIII

RESOLUTION

No. GA VIII-209/61-1248—29th December 1961—The Government of East Pakistan have heard with deep regret of the death of Mr Golam Rabbani, Extra Assistant Commissioner, Mymensingh, on 7th of December 1961.

Mr Golam Rabbani was appointed as Sub-Deputy Collector on 17th of January 1939. He was subsequently appointed as Deputy Magistrate and Deputy Collector from the 1st of January 1958. He was serving as Extra Assistant Commissioner, Mymensingh Sadar, till his untimely sad demise on the 7th of December 1961. During his long period of service, Mr Golam Rabbani held various posts, such as Circle Officer at Kishoreganj and Gaffargaon, as Sub-Deputy Collector at Tangail, Chittagong, Sylhet, Khulna and Nawabganj; as Executive Officer, Sylhet Municipality and as Trying Magistrate at Mymensingh Sadar.

The Government of East Pakistan desire to convey their sincere condolence to the widow and relatives of Mr Golam Rabbani.

By order of the Governor,
K. A. HAQUE,
Chief Secy. to the Govt. of East Pakistan.

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GOVERNMENT OF EAST PAKISTAN

ORDERS BY THE COMMISSIONERS OF DIVISIONS

Dacca Division

NOTIFICATION

No. 702 BD—26th December 1961—In exercise of the powers conferred upon me by Article 25(*3*) of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), I, G. Ahmed, Commissioner, Dacca Division, as the Controlling Authority, do hereby remove Mr Ebadat Ali Khan, B. L., an appointed non-official member of the Mymensingh District Council, under sub-clause (*b*) of clause (*2*) of Article 25 of the Basic Democracies Order, 1959 in consultation with the Deputy Commissioner, Mymensingh, and do hereby declare and notify under Article 26 of the said Order, read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, the seat of the said member is vacant.

G. AHMED,
Commissioner, Dacca Division.

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GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE DEPUTY COMMISSIONER, SYLHET

NOTIFICATION

No. 5917 DBD—23rd December 1961—In exercise of the powers conferred by Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), I, M. Allauddin, Collector of Sylhet district, as the Controlling Authority, hereby notify that Mr Syed Humayun Zareef, Assistant Manager, Taliapara Tea Estate, appointed to Madhabpur Thana Council as member, *vide* this office notification No. 743 EL, dated the 23rd April 1960, has tendered resignation and the resignation of the said member has duly been accepted by me under rule 2(*2*) of the East Pakistan Local Council (Resignation and Removal of Members) Rules, 1960.

M. ALLAUDDIN,
Dy. Commissioner, Sylhet.

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GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE SUBDIVISIONAL OFFICER, GOALUNDO, FARIDPUR

NOTIFICATION

No. 4651 J—23rd December 1961—In exercise of the powers conferred by Article 25 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, A. K. M. M. Rashid, Subdivisional Officer (In-charge), Goalundo, as the Controlling Authority, hereby notify that Mr Tamijuddin Mia, son of Fagu Mia of village Howli Keutil, police-station Goalundoghat, district Faridpur, an elected member from Ward No. II of the Chotovakla Union Council, has died on 19th September 1961 and that the seat has become vacant with effect from that date.

A K. M. M. RASHID,
Subdivisional Officer (In-charge),
Goalundo, Faridpur.

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FRIDAY, DECEMBER 29, 19

PART I—Orders and Notifications by the East Pakistan, the Administrator, M East Pakistan, the High Court, Treasury, etc.

GOVERNMENT OF EAST PAKI

OFFICE OF THE SUBDIVISIONAL SADAR NORTH, COMILLA

NOTIFICATION

No. 2994 GN—26th December 1961—of the powers conferred on me under the Basic Democracies (Conduct of Elec 1959, I, A. K. Rashid Ahmad, Subdivis Sadar North, Comilla, as the Controlli hereby notify for general information th has been caused in No. 4 Purbadhair U under Muradnagar police-station in S subdivision of the district of Comilla of Mr Syed Abdul Hamid, an appoint of the said Council.

A. K. RASHID AH

Subdivisional Officer, Sadar N

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tifications by the Governor of Administrator, Martial Law in he High Court, Government

T OF EAST PAKISTAN

E SUBDIVISIONAL OFFICER, AIL, MYMENSINGH

NOTIFICATION

—27th December 1961—In exer- conferred on me under Article ocracies Order, 1959 (President's 59), read with rule 54 of the Basic duct of Election) Rules, 1959, I, M. Subdivisional Officer, Tangail, do general information that Mr Syed elected member from Ward No.VII Council of Kalihati police-station, resignation from the membership m Council and his resignation has ted.

call upon the electors of Ward a Union Council of Kalihati police- a person.

M. MURSHED,

divisional Officer, Tangail, Mymensingh.

blished by A. M. Khan, Officer on Special e Department, In-charge, East Pakistan Government Press, Dacca.



by A. M. Khan, Officer on Special Duty, Home Department, In-charge, East Pakistan Government Press, Dacca.

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GOVERNMENT OF EAST PAKISTAN

ORDERS BY THE COMMISSIONERS OF DIVISIONS

Dacca Division

NOTIFICATION

No. 2291 L G—27th December 1961—In exercise of the powers under Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), as delegated to me in Government notification No. 4150 LSG, dated the 3rd December 1959, I, Ghyasuddin Ahmed, Commissioner, Dacca Division, do hereby notify that Mrs Hizratun Nesa Khatoon and Mr Abu Nayam Choudhury, members, Ward No. 4 (Azimpur Union Committee) and No. 3 (Ramna Union Committee), under the Dacca Municipal Committee, respectively, have resigned from their membership from the said Union Committees concerned. I do further declare that the resignation of the Members concerned having been accepted by Government in their No. S-III/IU-4/61/1788, dated the 23rd December 1961, the seats of the two Members of the Union Committees conce ned have become vacant.

G. AHMED,

Commissioner, Dacca Division.

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RNMENT OF EAST PAKISTAN

F THE SUBDIVISIONAL OFFICER, SADAR, SYLHET

NOTIFICATION

—26th December 1961—In exercise of onferred on me by Article 26 of the acies Order, 1959, I, Ahidur Rahman, Officer, North Sylhet, as the Controlling reby notify under Article 24 of the said persons shown below have been elected

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appoint the representatives of Departments ement mentioned in Schedule "A" below *x-officio* official members of Mymensingh ncil in addition to the existing 29 offi-s.

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as member in the vacancies shown against their names:

(1) Mr Shatir Ali Choudhury, son of late Forman Ali Choudhury, village Uttarbhag, post-office Sheliabazar, district Sylhet

vice

Mr Abbas Ali Choudhury, elected member of Ward No. III of Dubag Union Council under Beanibazar police-station, resigned.

(2) Mr Kasim Ali, son of late Kashir Ullah, village Paschimbagh, post-office South Bhadeswar, district Sylhet

vice

Mr Montaz Ali, elected member of Ward No. I of Bhadeswar Union Council, under Golapganj police-station, expired.

AHIDUR RAHMAN,
Subdivisional Officer, North Sylhet.

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GOVERNMENT OF EAST PAKISTAN

ORDERS BY THE COMMISSIONERS OF DIVISIONS

Dacca Division

NOTIFICATION

No. 701 BD—26th December 1961—In partial modification of notification No. 498 BD, dated 28th November 1961 and in exercise of the powers conferred upon me by clause (*1*) of the Article 15 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), I, G. Ahmed, Commissioner, Dacca Division, do hereby fix that the District Council of Mymensingh shall consist of 33 official and 33 appointed non-official members.

In exercise of the powers conferred upon me by clause (*2*) of Article 15 of the Basic Democracies Order, 1959, I, G. Ahmed, Commissioner, Dacca Division, do hereby appoint the representatives of Departments of Government mentioned in Schedule "A" below to be the *ex-officio* official members of Mymensingh District Council in addition to the existing 29 official members.

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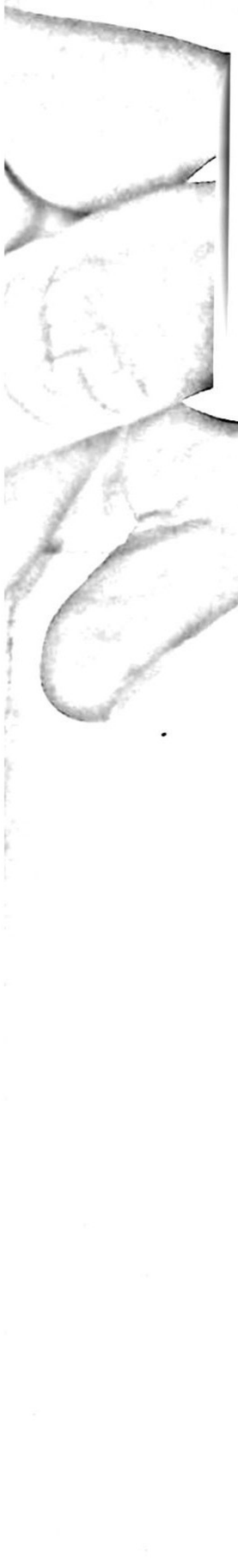

In exercise of the powers conferred upon me by sub-clause (*2*) of clause (*1*) of Article 21 of the Basic Democracies Order, 1959, I, G. Ahmed, Commissioner, Dacca Division, do hereby appoint the four persons mentioned in Schedule "B" to be the appointed non-official members of Mymensingh District Council in addition to the existing 29 non-official members.

Schedule "A"

(1) District Animal Husbandry Officer, Mymensingh, in place of Assistant Director of Animal Husbandry, Dacca Range.

(2) Assistant Director of Industries, Mymensingh.

(3) Assistant Director of EPSIC (Planning and Development), Dacca Region.

(4) Executive Engineer, Communication and Buildings, Division No. II, Mymensingh.

(5) Superintendent of Police, Mymensingh.

Schedule "B"

Appointed Non-official Members

(1) Mr Sabed Ali Bhuiya, Chairman, Nandail Union Council, Mymensingh.

(2) Mr Mirza Ashraf Ali, Tangail Town, P. O. Tangail, Mymensingh.

(3) Mr Umed Ali Talukdar, Chairman, Banihala Union Council, P. O. Dadra, Mymensingh.

(4) Mr Naimuddin Ahmad, Member, Bakshiganj Union Council, P. O. Dewanganj, Mymensingh.

G. AHMED,
Commissioner, Dacca Division.

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Extraordinary

Published by Authority

FRIDAY, DECEMBER 29, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE SUBDIVISIONAL OFFICER, NILPHAMARI, RANGPUR

NOTIFICATION

No. 4707—26th December 1961—In exercise of the powers conferred by Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, M. A. Zaman, C. S. P., Subdivisional Officer, Nilphamari, being the Controlling Authority, do hereby notify that the following persons have duly been elected Councillors of the Union Councils shown against each:

P. S. Jaldhaka.

Name of Union Council.	Name of the Councillors.
Jaldhaka ..	(1) Mr Badiur Rahman Choudhury, son of Mr Mahtabuddin Choudhury of Bagulagari, police-station Jaldhaka, Ward No. III *vice* Mr Fazlar Rahman Choudhury, died.

P. S. Domar.

Bhogdabari ..	(2) Mr Easinuddin Basunia, son of Mataruddin Basunia of Nij Bhogdabari, police-station Domar, Ward No. IV *vice* Mr Shamsul Haque Pramanik, resigned.
Gomnati ..	(3) Mr Sakti Pada Roy, son of Chintaram Roy of Gomnati, police-station Domar, Ward No. II *vice* Mr Azizul Islam Choudhury, resigned.
Jorabari ..	(4) Mr Kadimul Haque, son of Karimuddin Choudhury of Jorabari, police-station Domar, Ward No. I *vice* Mr Karimul Haque Choudhury, resigned.

P. S. Dimla.

Gaya Kharibari ..	(5) Mr Hem Chandra Paul, son of Hara Kumar Paul of Gayabari, police-station Dimla, Ward No. IV *vice* Mr Majibar Rahman Patwari, removed.
Jhunagach Chapani ..	(6) Mr Nani Bhusan Roy, son of Fani Bhusan Roy of Uttar Jhunagach Chapani, police-station Dimla, Ward No. I *vice* Mr Rebati Bhusan Roy, died.
Khalisha Chapani ..	(7) Mr Khokaram Barman, son of Khir Narayan Barman of Baishpukur, police-station Dimla, Ward No. II *vice* Mr Chandra Mohan Roy, resigned.

Name of Union Council.	Name of Councillors.
	P. S. Saidpur.
Botlagari	.. (8) Mr Umesh Chandra Roy, son of Tarini Kanta Roy of Botlagari, police-station Saidpur, Ward No. III *vice* Mr Basiruddin Sarker, died.
	P. S. Kishoreganj.
Bahagili	.. (9) Mr Ehsanuddin, son of Tati Mamud Pramanik of Uttar Bahagili, police-station Kishoreganj, Ward No. III *vice* Mr Mozammel Haque, resigned.
Alambiditor	.. (10) Mr Md. Abdul Wahed, son of Osman Ali of Nagar Baraibari, police-station Kishoreganj, Ward No. VIII *vice* Mr Mahimuddin Sarker, died.
Magura	.. (11) Mr Abdul Hakim Miah, son of Hazi Jahiruddin of West Magura (Dolapara), police-station Kishoreganj, Ward No. I *vice* Mr Jalaluddin Shah, removed.
Magura	.. (12) Mr Mahiruddin, son of Tagru Mamud of Dakshin Magura, police-station Kishoreganj, Ward No. III *vice* Mr Kalimuddin, removed.
Do.	(13) Mr Nawsher Ali, son of Bandey Ali of Uttar Singhergari, police-station Kishoreganj, Ward No. IV *vice* Mr Nur Hossain Shah, removed.
Do.	(14) Mr Atiar Rahman Choudhury, son of Jayenuddin Choudhury of Dakshin Singhergari, police-station Kishoreganj, Ward No. V *vice* Mr Azizar Rahman Choudhury, removed.

M. A. ZAMAN, C. S. P.,
Subdivisional Officer, Nilphamari.

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Welfare Section

NOTIFICATION

No. 605 LW/1L-22/61—29th December 1961—In exercise of the powers conferred by section 17 of the Minimum Wages Ordinance, 1961 (Ordinance No. XXXIX of 1961), the Governor is pleased to make the following rules, namely:

THE EAST PAKISTAN MINIMUM WAGES RULES, 1961

1. **Short Title**—These rules may be called the East Pakistan Minimum Wages Rules, 1961.

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

(a) "Ordinance" means the Minimum Wages Ordinance, 1961 (Ordinance No. XXXIX of 1961);

(b) "Board" means the East Pakistan Minimum Wages Board established under section 3 of the Ordinance;

(c) "Committee" means any Committee appointed by the Board; and

(d) Other words and expressions used in these rules shall have the same meanings as those assigned to them in the Ordinance.

Name of Union Council.	
	P.
Botlagari	
	P.
Bahagili	
Alambiditor	
Magura	

3. Meetings.—(*1*) Meetings of the Board shall be convened by notice in writing given to each member by the Chairman, indicating such time and place of meeting as the Chairman may direct.

(*2*) Meetings shall be convened as frequently as the Chairman considers necessary.

(*3*) Every meeting of the Board shall be presided over by the Chairman, if present, or if he is absent, by the independent member.

(*4*) The quorum for any meeting of the Board shall consist of at least one independent member, one representative of the employers and one representative of the workers.

Provided that if the representative either of the employers or of the workers fail to attend three consecutive meetings of the Board, the attendance of any three members shall constitute the quorum for subsequent meetings.

4. **Terms of office**—(*1*) The term of office of the members of the Board, except as otherwise expressly provided in the Ordinance, shall be three years from the date on which the appointment is notified in the *Official Gazette*. Members shall, notwithstanding the expiry of the said period of three years, continue to hold office till the appointment of a successor is notified in the *Official Gazette*.

(*2*) Any person whose term of office expires shall be eligible for reappointment.

(*3*) A member of the Board may resign his office by notice in writing to the Provincial Government and his seat shall fall vacant from the date of the acceptance of the resignation by the Provincial Government.

(*4*) If a member of the Board (other than the Chairman) absents himself from three consecutive meetings thereof without leave of absence from the Chairmen, the Provincial Government may, by notification in the *official Gazette*, declare his seat to be vacant.

(*5*) If for misconduct or any other reason the continuance in office of a member of the Board is deemed to be not in the public interest, that member may be removed by the Provincial Government from membership of the Board.

(*6*) Any vacancy in the Board shall be filled by the Provincial Government in a manner not affecting the representative interests on the Board.

(*7*) A member appointed to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of his predecessor.

5. **Absence from Pakistan**—(*1*) If any member of the Board (other than the Chairman) leaves Pakistan he shall intimate to the Chairman the date of his departure from, and the date of his expected return to, Pakistan; and if he intends to absent from Pakistan for a period exceeding six months, the Chairman shall inform the Provincial Government with a view to the appointment, if necessary, of a substitute member for such period.

(*2*) Where the Chairman goes on long leave or is sent on deputation outside Pakistan, the Provincial Government may appoint any other person as Chairman for the period of his absence.

6. **Allowances for members of the Board**—Member of the board other than the Chairman, shall receive such allowances as the Provincial Government may determine.

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7. **Disposal of business**—(*i*) Decisions of the Board shall be according to the views of the majority of the members present at the meeting and in the event of and equality of votes the Chairman shall have a second or casting vote;

Provided that if at any meeting the representatives of the employers and workers respectively are present in unequal numbers, the Chairman, if he deems it expedient may require them to vote by "sides".

(*ii*) Votes shall ordinarily be by showing hands, but if the Chairman so decides the decisions on any matter may be taken by secret vote, which shall be held in such manner as the Chairman may decide.

8. **Attendance of witnesses**—For the purpose of any enquiry under this Ordinance, the Chairman of the Board shall have powers to require the attendance of witnesses, including parties interested and the production of documents as provided in the Code of Civil Procedure, 1908 (Act V of 1908).

9. **Experts and Advisors**—(*1*) The Chairman of the Board shall have power to invite any expert or adviser to attend any meeting of the Board and to take part in its deliberations, but such person shall not have the right to vote,

(*2*) The expenses of Advisors to members of the Board, other than the Chairman and the independent member, shall be borne by the respective parties.

10. **Powers of the Board etc., to collect informations**—The Chairman or any member of the Board or any Advisor or Expert or any Officer in the employment of the Board duly authorised by the Chairman in this behalf, may for the purpose of carrying out objects of the Ordinance—

(a) enter at any reasonable times, any factories or other premises or places used in connection with the working of an industry;

(b) require the production of any register and any other document and take on the spot or otherwise statements of any person which he may consider necessary; and

(c) obtain information in writing by the issue of questionnaires or otherwise.

11. **Minutes of meetings**—(a) The minutes of each meeting of the Board shall show the names of the members present and shall be recorded in such form as may be directed by the Chairman. A copy of the minutes shall be communicated to each member as soon after the meeting as possible.

(b) The minutes of each meeting shall be confirmed at the next meeting and signed by the Chairman.

12. **Appointment of Committees**—(*1*) The Board may appoint Committees, and may refer to any such Committee for investigation, report and recommendations on any matter which the Board may decide to refer to it, in order to assist the Board in the preparation of recommendations on matters within the competence of the Board, including minimum rates of wages for any locality or for any section of an industry.

(2) Such Committees shall consist of at least one member representing employers, one member representing workers and one independent member, who shall be Chairman.

Name of Union Council.	
Botlagari	P.
Bahagili	P.
Alambiditor	
Magura	

(3) The Chairman of a Committee shall have the same power for purposes of investigation as conferred upon the Chairman of the Board by rule 8.

(4) The Chairman of a Committee or any member of a Committee or any adviser or expert of a Committee shall have the same powers as those conferred by rule 10 on the Chairman of a Board or any member, adviser or expert of the Board.

(5) Member of a Committee including its Chairman, shall receive such allowances as may be determined by the Provincial Government.

13. **Staff**—(a) The Provincial Government may appoint a Secretary of the Board and such other staff as it think, necessary.

(b) The Secretary so appointed shall attend the meetings of the Board, and as authorised by the Chairman of the Board, shall assist him in—

(i) convening meetings;

(ii) keeping the records of the proceedings of the meetings;

(iii) carrying out the decisions taken; and

(iv) in any other ways ensuring the application of the provisions of the Ordinance:

Provided that the Secretary shall not be entitled to vote.

14. **Principle of equal remuneration**—In fixing minimum rates of wages the principle of equal remuneration for men and women workers for work of equal value shall be applied.

15. **Procedure for determining minimum rates of wages**—(1) Where the Board proposes to recommend minimum rates of wages it shall give notice, by publishing the term of the proposed recommendation in the *Official Gazette*, to persons likely to be affected thereby, in order that they may have opportunity to file objections or make suggestions in writing with supporting data, within fourteen days from the date of publication.

(2) The Board may after considering any objections and suggestions made in accordance with sub-rule (1) make such amendments of the original proposals as may seem desirable, or may uphold its original proposals and make recommendations accordingly, to the Provincial Government.

16. **Publicity for minimum rates of wages**—(1) The Provincial Government shall take all appropriate means of ensuring that the minimum rates of wages fixed shall be made known to all employers and workers concerned.

(2) The Provincial Government may, whenever it considers appropriate require all employers for whose workers minimum rates of wages have been fixed, to display in conspicuous places in the factory, workshop or such other place as it thinks fit, notices in English, Bengali and Urdu giving the minimum rates of wages fixed.

(3) In respect of home or out-workers the notices shall be displayed in such factory, workshop or place as may be used for giving out work to them.

17. **Forms of Registers and Records**—(1) Every employer shall maintain at the place of employment in respect of any industry for which minimum rates of wages have been fixed under the Ordinance, a Wage Register in Form I.

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(2) Every employer shall issue to the employees employed in any industry in respect of which minimum rates of wages have been fixed under the provisions of the Ordinance, Wage Slips in Form II.

(3) Every employer shall obtain the signature or the thumb impression of every employee on the Wage Register.

(4) Entries in the Wage Register and Wage Slips shall be authenticated by the employer or any person authorised by him in this behalf.

(5) A Muster Roll shall be maintained by the employer in Form III at the place of employment in respect of all employees employed in any industry in respect of which minimum rates of wages have been fixed under the provisions of the Ordinance.

(6) The registers and records required under this rule and such other rolls and records as the Provincial Government may require to be maintained under the Ordinance or these rules for the effective application of the Ordinance shall be preserved by the employer for two years after the last entry made therein.

18. **Penalty for false entries in records, producing false records or giving false information**—Whoever makes or causes to be made or knowingly allows to be made any entry in a record required by rule 17 to be kept by employers, which he knows to be false in a material particular or for purposes connected with rule 17 produces or furnishes or causes or knowingly allows to be produced or furnished, any Wage Register, Wage Slips, or information which he knows to be false in a material particular, shall be punishable on conviction to a fine not exceeding five hundred rupees.

19. **Appointment of Inspector**—The Provincial Government may appoint any person as it thinks fit to be Inspectors for the purposes of the Ordinance.

20. **Powers and functions of Inspector**—An Inspector appointed under rule 19 shall exercise the following powers and perform the following duties—

(a) enter any premises which any employer or worker to whom minimum rates of wages fixed under the Ordinance apply carries on his business and to require the production for examination of any register, wage book, records or payments made to home or outworkers by persons giving out work and any other records or documents relating to the calculation or payment of wages, and take on the spot or otherwise such evidence or any person, and exercise such other powers of inspection as he may deem necessary for carrying out the purpose of the Ordinance; and

(b) examine, either alone or in the presence of any other person, as he thinks fit, with respect of any matter under the Ordinance any person whom he has reasonable cause to believe to be or to have been a worker to whom a minimum rate of wage applies or was applicable or the employer of any such person or a servant or agent of the employer employed in the employer's business, and to require every such person to be so examined and sign a declaration of the truth of the matters in respect of which he is so examined.

Name of Union Council.

P.

Botlagari

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Bahagili

Alambiditor

Magura

21. **Submission of claim**—Where a worker claims that he has been paid less than the minimum rate of wages applicable to him, the worker himself or any legal practitioner or any officer of a registered trade union authorised in writing to take action on his behalf may submit the claim in Form IV to the Provincial Government or to such person or persons as may be appointed to act in this behalf.

Provided that every such claim shall be submitted within six months from the date on which the minimum rates of wages should have been paid.

22. **Contravention of Rules**—Any person who contravenes any provisions of these rules shall be punishable with fine not exceeding Rupees five hundred.

FORM I

Rule 17(1)

Register of Wages

1. Name of the Factory..... .....
2. Department.....
3. Branch/Section/Group/Relay/etc.....
4. Wage period..... .....
5. Address.....

Sl. No.	Name of employee.	Token or Ticket No.	Occupation.	Rate of pay (if paid on piece rate, the rate at which paid).	Minimum rate of wages payable.	No. of days the worker attended.
1	2	3	4	5	6	7

No. of hours overtime worked.	Amount of overtime wages earned.	Gross wage payable.	Amount of any deductions giving reasons for which deductions imposed.	Actual wages paid.	Signature or thump impression of the employee.	Remarks.
8	9	10	11	12	13	14

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FORM II

[Rule 17(2)]

Wage Slips

1. Name of Factory.....
2. Department.....
3. Branch/Section/Group/etc.....
4. Wage period.....
5. Address.....

1	2	3		4		5		6		7		8
Name of the employee.	Token or Ticket No.	Minimum rate of wages payable.		Amount of overtime wages earned.		Gross wages payable.		Deduction, if any.		Actual wages paid.		Remarks.
		Rs.	ps.	Rs.	ps.	Rs.	ps.	Rs.	ps.	Rs.	ps.	

FORM III

[*Rule 17(5)*]

Muster Roll

I. Name of Factory.....
2. Department.....
3. Branch/Section/Group/etc.....
4. Address.....

Sl. No.	Name of employee.	Token or Ticket No.	Age.	Sex.	Date of first appointment.	Occupation.	Monthly record of the daily attendance of each worker.	Remarks.
1	2	3	4	5	6	7	8	9

Name of Union Council.

P.

Botlagari

P.

Bahagili

Alambiditor

Magura

FORM IV

(*Rule 21*)

Form for application

In the Court of the Authority appointed under the Minimum Wages Ordinance, 1961 (XXXIX of 1961) for.....area.

Application No. .....of 19.....between A.B.C. ..... applicant.

(Through a legal practitioner.....an official of..... ..... which is a registered Trade Union).

And X. Y. Z. ..... opposite party.

The applicant states as follows—

1. A. B. C. is a person employed in the factory/or industrial establishment entitled..... and resides at ..... The address of the applicant for the service of all notices and processes is—

2. X. Y. Z. the opposite party is the person responsible for the payment of his wages under section..... of the Ordinance, and his address for the service of all notices and processes is:—

3. The applicant states that he has been paid less than the minimum rate of wages applicable to him for the following wage period(s) (give dates).

(Here give any further claim or explanation.)

4. The applicant estimates the value of the relief sought by him at the sum of Rs. .....

5. The applicant prays that a direction may be issued under section..... .....for—

(a) Payment of his wages paid less as estimated or such greater or lesser amount as the Authority find to be due.

(b) Compensation amounting to.....

The applicant certifies that the statement of facts contained in this application is to the best of his knowledge and belief accurate.

Signature or thumb impression of the employed person or legal practitioner or official of a registered Trade Union duly authorised.

By order of the Governor,
M. A. SIDDIQUI,
Jt. Secy. to the Govt. of East Pakistan.

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GOVERNMENT OF EAST PAKISTAN

BASIC DEMOCRACIES AND LOCAL GOVERNMENT DEPARTMENT

Section II

NOTIFICATION

No. BD&LG/S-II/3R-88/61/498—26th December 1961—In exercise of the powers conferred by sub-section (*2*) of section 121 read with item 3(*c*) of the Fourth Schedule of the Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960), the Governor is pleased to make the following amendment to the East Pakistan Municipal Committee (Vote of No Confidence) Rules, 1960, published under notification No. HSLG/S-II/2R-2/60/316, dated

East Pakistan, the
Court, Government

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OINTMENT)

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shall comprise the
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Name of Circle Headquarters.
3
Kaliganj.
Sabhar.
Dhamrai.
Kapasia.
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the 23rd August 1960 in the *Dacca Gazette, Extra-ordinary*, Part I, dated the 27th August 1960, namely:—

Amendment

In the said rules, *after* rule 2, *add* the following new rule, namely:—

"3. *Requisite majority and mode of calculation of votes.*—A Vice-Chairman shall vacate office if a vote of non-confidence is passed against him in such a meeting by a two-thirds majority of the total number of members of the Municipal Committee:

Provided that for calculating the said two-thirds majority for purposes of the vote of non-confidence all fractions of a number representing 1/3rd or above shall be rounded off into a whole number."

By order of the Governor,

S. D. KHAN,
Special Officer and Dy. Secy. to the Govt. of East Pakistan.

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GOVERNMENT OF EAST PAKISTAN

HOME (GENERAL ADMINISTRATION AND APPOINTMENT) DEPARTMENT

Section VIII.

NOTIFICATION

Dacca—No. GA VIII-205/61-1237—23rd December 1961—In supersession of all previous notifications in this behalf, it is hereby notified for general information that the Governor is pleased, in the interest of better administration, to direct that there shall be 413 Circles in East Pakistan as shown in the Schedule below, with effect from the 1st of January, 1962, until further orders, and that the districts mentioned in column 1 of the Schedule below shall comprise the Circle specified in column 2, the territorial limits of each Circle being the same as that of the corresponding police-station now in existence, with the headquarters of the Circles as shown against the respective Circles in column 3 of the Schedule.

THE SCHEDULE

District.	Name of Circle.	Name of Circle Headquarters.
1	2	3
Dacca .. Sadar North ..	1. Kaliganj	.. Kaliganj.
	2. Sabhar	.. Sabhar.
	3. Dhamrai	.. Dhamrai.
	4. Kapasia	.. Kapasia.
	5. Kaliakoir	.. Kaliakoir.
	6. Sripur	.. Sripur.
	7. Joydebpur	.. Joydebpur.

District.		Name of Circle.		Name of Circle Headquarters.
1		2		3
Dacca ..	Sadar South ..	1. Sutrapur	..	Sutrapur.
		2. Kotwali	..	Kotwali.
		3. Lalbag	..	Lalbag.
		4. Ramna	..	Ramna.
		5. Tejgaon	..	Tejgaon.
		6. Keraniganj	..	Keraniganj.
		7. Dohar	..	Dohar.
		8. Nawabganj.	..	Nawabganj.
	Narayanganj ..	1. Narayanganj	..	Narayanganj.
		2. Fatullah	..	Fatullah.
		3. Badyerbazar	..	Badyerbazar.
		4. Rupganj	..	Rupganj.
		5. Araihazar	..	Araihazar.
		6. Narsingdi	..	Narsingdi.
		7. Raipura	..	Raipura.
		8. Monohardi	..	Monohardi.
		9. Shibpur	..	Shibpur.
	Munshiganj ..	1. Munshiganj	..	Munshiganj.
		2. Tangibari	..	Tangibari.
		3. Sirajdikhan	..	Sirajdikhan.
		4. Srinagar	..	Srinagar.
		5. Lohajang	..	Lohajang.
		6. Gazaria	..	Gazaria.
	Manikganj ..	1. Manikganj	..	Manikganj.
		2. Singair	..	Singair.
		3. Saturia	..	Saturia.
		4. Sivalaya	..	Sivalaya.
		5. Ghior	..	Ghior.
		6. Daulatpur	..	Daulatpur.
		7. Harirampur	..	Harirampur.
Mymensingh ..	Sadar South ..	1. Kotwali	..	Kotwali.
		2. Muktagacha	..	Muktagacha.
		3. Phulbaria	..	Phulbaria.
		4. Trisal	..	Trisal.
		5. Gaffargaon	..	Gaffargaon.
		6. Bhaluka	..	Bhaluka.
	Sadar North ..	1. Nandail	..	Nandail.
		2. Phulpur	..	Tarakanda.
		3. Haluaghat	..	Haluaghat.
		4. Iswarganj	..	Atharobari.

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District.		Name of Circle.	Name of Circle Headquarters.
1		2	3
Mymensingh	Netrokona ..	1. Netrokona	.. Netrokona.
		2. Purbadhala	.. Narayandahar.
		3. Kendua	.. Kendua.
		4. Durgapur	.. Durgapur.
		5. Barhatta	.. Barhatta.
		6. Atpara	.. Atpara.
		7. Mohanganj	.. Mohanganj.
		8. Khaliajuri	.. Khaliajuri.
		9. Madan	.. Madan.
		10. Kalmakanda	.. Kalmakanda.
Jamalpur	..	1. Jamalpur	.. Jamalpur.
		2. Melandaha	.. Melandaha.
		3. Madarganj	.. Madarganj.
		4. Dewanganj	.. Dewanganj.
		5. Islampur	.. Islampur.
		6. Sarishabari	.. Sarishabari.
		7. Sherpur	.. Sherpur.
		8. Sribardi	.. Sribardi.
		9. Nalitabari	.. Nalitabari.
		10. Nokla	.. Nokla.
Kishoreganj	..	1. Kishoreganj	.. Kishoreganj.
		2. Tarail	.. Tarail.
		3. Karimganj	.. Karimganj.
		4. Hossainpur	.. Hossainpur.
		5. Katiadi	.. Katiadi.
		6. Bajitpur	.. Bajitpur.
		7. Kuliarchar	.. Kuliarchar.
		8. Pakundia	.. Pakundia.
		9. Nikli	.. Nikli.
		10. Bhairabbazar	.. Bhairabbazar.
		11. Astagram	.. Astagram.
		12. Itna (Badla)	.. Itna (Badla).
Tangail	..	1. Tangail	.. Tangail.
		2. Basail	.. Basail.
		3. Nagarpur	.. Nagarpur.
		4. Mirzapur	.. Mirzapur.
		5. Kaliahati	.. Kaliahati.
		6. Ghatail	.. Ghatail.
		7. Gopalpur	.. Gopalpur.
		8. Madhupur	.. Madhupur.
Faridpur	.. Sadar ..	1. Kotwali	.. Faridpur.
		2. Char Bhadrasan	.. Char Bhadrasan.
		3. Boalmari	.. Boalmari.
		4. Bhanga	.. Bhanga.
		5. Sadarpur	.. Baishrashi.
		6. Nagarkanda	.. Nagarkanda.
		7. Alfadanga	.. Alfadanga.

District.		Name of Circle.		Name of Circle Headquarters.
1		2		3
Faridpur ..	Goalundo ..	1. Goalundo (Rajbari)		Rajbari.
		2. Goalundoghat	..	Rajbari.
		3. Pangsha	..	Pangsha.
		4. Baliakandi	..	Naliagram.
	Madaripur ..	1. Madaripur	..	Madaripur.
		2. Rajoir	..	Khalia.
		3. Kalkini	..	Kalkini.
		4. Shibchar	..	Shibchar.
		5. Janjira	..	Janjira.
		6. Palong	..	Palong.
		7. Goshairhat	..	Damudya.
		8. Bhedarganj	..	Bhedarganj.
		9. Naria	..	Naria.
	Gopalganj ..	1. Gopalganj	..	Gopalganj.
		2. Kotwalipara	..	Bandle.
		3. Muksudpur	..	Gohala.
		4. Kasiani	..	Bhatipara.
Chittagong ..	Sadar North ..	1. Kotwali	..	Kotwali.
		2. Doublemoorings	..	Doublemoorings.
		3. Panchlaish	..	Panchlaish.
		4. Hathazari	..	Hathazari.
		5. Sandwip	..	Sandwip.
		6. Mirsarai	..	Mirsarai.
		7. Sitakunda	..	Sitakunda.
		8. Fatikchari	..	Fatikchari.
		9. Raozan	..	Raozan.
		10. Rangunia	..	Rangunia.
	Sadar South ..	1. Anwara	..	Anwara.
		2. Banskhali	..	Banskhali.
		3. Boalkhali	..	Boalkhali.
		4. Patiya	..	Patiya.
		5. Satkania	..	Satkania.
	Cox's Bazar ..	1. Cox's Bazar	..	Cox's Bazar.
		2. Chakaria	..	Chakaria.
		3. Kutubdia	..	Kutubdia.
		4. Ramu	..	Ramu.
		5. Moheshkhali	..	Moheshkhali.
		6. Teknaf	..	Teknaf.
		7. Ukhiya	..	Ukhiya.
Comilla ..	Sadar North ..	1. Chandina	..	Chandina.
		2. Debidwar	..	Debidwar.
		3. Muradnagar	..	Muradnagar.
		4. Daudkandi	..	Daudkandi.
		5. Homna	..	Homna.

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District.		Name of Circle.	Name of Circle Headquarters.
1		2	3
Comilla ..	Sadar South ..	1. Kotwali	.. Kotwali.
		2. Burichang	.. Burichang.
		3. Chaudagram	.. Chaudagram.
		4. Laksam	.. Laksam.
		5. Barura	.. Barura.
	Chandpur ..	1. Chandpur	.. Chandpur.
		2. Faridganj	.. Faridganj.
		3. Matlabbazar	.. Matlabganj.
		4. Hajiganj	.. Hajiganj.
		5. Kachua	.. Kachua.
	Brahmanbaria	1. Brahmanbaria	.. Brahmanbaria.
		2. Sarail	.. Sarail.
		3. Nasirnagar	.. Nasirnagar.
		4. Nabinagar	.. Nabinagar.
		5. Kasba	.. Kasba.
		6. Bancharampur	.. Bancharampur.
Noakhali ..	Sadar ..	1. Sudharam	.. Sudharam.
		2. Companyganj	.. Companyganj.
		3. Hatiya	.. Hatiya.
		4. Ramgati	.. Char Alexander.
		5. Lakshmipur	.. Lakshmipur.
		6. Raipur	.. Raipur.
		7. Begumganj	.. Begumganj.
		8. Senbag	.. Senbag.
		9. Ramganj	.. Ramganj.
	Feni ..	1. Feni	.. Feni.
		2. Sonagazi	.. Sonagazi.
		3. Chhagalnaiya	.. Chhagalnaiya.
		4. Parashuram	Parashuram.
Chittagong Hill Tracts.	Sadar ..	1. Rangamati	.. Rangamati.
		2. Chandraghona	.. Kaptai.
		3. Barkal	.. Barkal.
		4. Langadu	.. Marishya.
	Ramgarh ..	1. Ramgarh	.. Ramgarh.
		2. Mahalchhari	.. Khagrachari.
		3. Dighinala	.. Dighinala.
	Bandarban ..	1. Bandarban	.. Bandarban.
		2. Ruma	.. Ruma.
		3. Lama	.. Lama.
		4. Nakhyongchari	.. Nakhyongchari.

District.		Name of Circle.	Name of Circle Headquarters.
1		2	3
Sylhet ..	Sadar ..	1. Sylhet (Kotwali)	Kotwali.
		2. Gowainghat ..	Gowainghat.
		3. Jaintiapur ..	Jaintiapur.
		4. Kanaighat ..	Kanaighat.
		5. Balaganj ..	Tajpur.
		6. Biswanath ..	Biswanath.
		7. Golapganj ..	Dhakadakshin.
		8. Fenchuganj ..	Fenchuganj.
		9. Zakiganj ..	Zakiganj.
		10. Beanibazar ..	Beanibazar.
	Habiganj ..	1. Habiganj ..	Habiganj.
		2. Madhabpur ..	Madhabpur.
		3. Chunarighat ..	Chunarighat.
		4. Bahubal ..	Bahubal.
		5. Baniachong ..	Baniachong.
		6. Nabiganj ..	Nabiganj.
		7. Ajmiriganj ..	Ajmiriganj.
		8. Lakhai ..	Lakhai.
		9. Madna ..	Madna.
		10. Markuli ..	Markuli.
	Sunamganj ..	1. Sunamganj ..	Sunamganj.
		2. Chhatak ..	Chhatak.
		3. Jagannathpur ..	Jagannathpur.
		4. Tahirpur ..	Tahirpur.
		5. Derai	Derai.
		6. Dharampassa ..	Dharampassa
		7. Sulla	Sulla.
		8. Jamalganj. ..	Jamalganj.
	Maulvi Bazar	1. Maulvibazar ..	Maulvibazar.
		2. Rajnagar ..	Rajnagar.
		3. Kulaura ..	Kulaura.
		4. Sreemangal ..	Sreemangal.
		5. Kamalganj ..	Kamalganj.
		6. Barlikha ..	Barlikha.
Rajshahi ..	Sadar ..	1. Boalia ..	Boalia.
		2. Paba	Paba.
		3. Tanor ..	Tanor.
		4. Mohanpur ..	Mohanpur.
		5. Godagari ..	Godagari.
		6. Puthia ..	Puthia.
		7. Durgapur ..	Durgapur
		8. Charghat ..	Charghat.
		9. Bagmara ..	Bagmara.

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District.		Name of Circle.		Name of Circle Headquarters.
1		2		3
Rajshahi ..	Natore ..	1. Natore	..	Natore.
		2. Bagatipara	..	Bagatipara.
		3. Singra ..	..	Singra.
		4. Baraigram	..	Baraigram.
		5. Gurudaspur	..	Gurudaspur.
		6. Lalpur ..	..	Lalpur.
	Naogaon ..	1. Naogaon	..	Naogaon.
		2. Badalgachi	..	Badalgachi
		3. Atrai ..	..	Atrai.
		4. Raninagar	..	Raninagar.
		5. Manda	..	Manda.
		6. Niamatpur	..	Niamatpur.
		7. Mahadebpur	..	Mahadebpur.
		8. Dhamairhat	..	Dhamairhat.
		9. Patnitala	..	Patnitala
	Nawabganj ..	1. Porsha	..	Porsha..
		2. Shibganj	..	Shibganj.
		3. Nawabganj	..	Nawabganj.
		4. Nachole	..	Nachole.
		5. Gomostapur	..	Rohanpur.
		6. Bholahat	..	Bholahat.
Dinajpur ..	Sadar ..	1. Dinajpur (Kotwali)		Dinajpur (Kotwali).
		2. Chirirbandar	..	Chirirbandar.
		3. Parbatipur	..	Parbatipur.
		4. Phulbari	..	Phulbari.
		5. Nawabganj	..	Daudpur.
		6. Hakimpur	..	Pak. Hilli.
		7. Ghoraghat	..	Ghoraghat.
		8. Birganj	..	Birganj..
		9. Khanshama	..	Khanshama.
		10. Kaharole	..	Kaharole.
		11. Birol ..	..	Birol.
		12. Bochaganj	..	Bochaganj.
	Thakurgaon ..	1. Thakurgaon	..	Thakurgaon.
		2. Baliadangi	..	Bohirihat.
		3. Ranisankail	..	Ranisankail.
		4. Haripur	..	Haripur.
		5. Pirganj	..	Pirganj.
		6. Pochagarh		Pochagarh
		7. Debiganj	..	Debiganj.
		8. Boda ..	..	Boda.
		9. Atwari	..	Ruhi.
		10. Tetulia	..	Tetulia.

District.		Name of Circle.	Name of Circle Headquarters.
1		2	3
Rangpur ..	Sadar ..	1. Rangpur (Kotwali)	Rangpur (Kotwali).
		2. Gangachara ..	Gangachara.
		3. Kaliganj ..	Tushbandar.
		4. Hatibandha ..	Hatibandha.
		5. Patgram ..	Patgram.
		6. Pirgacha ..	Pirgacha.
		7. Kaunia ..	Haragachhi.
		8. Badarganj ..	Badarganj.
		9. Pirganj ..	Pirganj
		10. Mithapokhar ..	Mithapokhar.
Gaibandha ..		1. Gaibandha ..	Gaibandha.
		2. Sadullapur ..	Sadullapur.
		3. Sundarganj ..	Sundarganj.
		4. Gobindaganj ..	Gobindaganj.
		5. Palashbari ..	Palashbari.
		6. Shaghatta ..	Bonarpara.
		7. Fulchari ..	Fulchari.
Kurigram ..		1. Kurigram ..	Kurigram.
		2. Ulirpur ..	Ulirpur.
		3. Rahumari ..	Rahumari.
		4. Chilmari ..	Chilmari.
		5. Lalmanirhat ..	Lalmanirhat.
		6. Fulbari.. ..	Fulbari.
		7. Nageswari ..	Nageswari.
		8. Bhurungamari ..	Bhurungamari.
Nilphamari ..		1. Nilphamari ..	Nilphamari.
		2. Saidpur ..	Saidpur.
		3. Dimla	Dimla.
		4. Domar ..	Domar.
		5. Jaldhaka ..	Jaldakha.
		6. Kishoreganj ..	Kishoreganj.
Bogra ..	Sadar ..	1. Bogra ..	Bogra.
		2. Kahalu ..	Kahalu.
		3. Shibganj ..	Shibganj.
		4. Nandigram ..	Kunderhat.
		5. Adamdighi ..	Adamdighi.
		6. Dupchanchia ..	Dupchanchia.
		7. Joypurhat ..	Joypurhat.
		8. Panchbibi ..	Panchbibi.
		9. Khetlal ..	Khetlal
		10. Sariakandi ..	Sariakandi.
		11. Gabtali ..	Gabtali.
		12. Sherpur. ..	Sherpur.
		13. Dhunot ..	Dhunot.

District.		Name of Circle.	Name of Circle Headquarters.
1		2	3
Pabna	Sadar ..	1. Pabna ..	.. Pabna.
		2. Atgharia	.. Atgharia.
		3. Ishurdi	.. Ishurdi.
		4. Chatmohar	.. Chatmohar.
		5. Sujanagar	.. Satbaria.
		6. Bera ..	.. Bera.
		9. Santhia	.. Santhia.
		8. Faridpur	.. Banowarinagar.
	Serajganj ..	1. Shazadpur	.. Shazadpur.
		2. Chauhali	.. Malipara.
		3. Ullapara	.. Ullapara.
		4. Kamarkhonda	.. Jamtail.
		5. Serajganj	.. Serajganj.
		6. Kazipur	.. Kazipur.
		7. Raiganj	.. Dhangara.
		8. Taras ..	.. Taras.
		9. Belkuchi	.. Sohagpur.
Khulna ..	Sadar ..	1. Khulna	.. Khulna.
		2. Tarokhada	.. Tarokhada.
		3. Daulatpur	.. Daulatpur.
		4. Fultala	.. Fultala.
		5. Batiaghata	.. Shailadanga.
		6. Dumuria	.. Dumuria.
		7. Paikgacha	.. Paikgacha.
		8. Dacope	.. Chalna.
	Bagerhat ..	1. Bagerhat	.. Bagerhat.
		2. Fakirhat	.. Fakirhat.
		3. Mollahat	.. Mollahat.
		4. Kachua	.. Kachua.
		5. Rampal	.. Rampal.
		6. Morrelganj	.. Morrelganj.
		7. Sarankhola	.. Rayenda.
	Satkhira ..	1. Satkhira	.. Satkhira.
		2. Kalaroa	.. Kalaroa.
		3. Assasunni	.. Assasunni.
		4. Tala	.. Patkelghata
		5. Kaliganj	.. Kaliganj.
		6. Shyamnagore	.. Shyamnagore.
		7. Debhata	.. Debhata.
Jessore ..	Sadar ..	1. Kotwali	.. Kotwali.
		2. Keshabpur	.. Keshabpur.
		3. Monirampur	.. Manirampur.
		4. Jhikargacha	.. Jhikargacha.
		5. Bagherpara	.. Old Jessore town.
		6. Abhoynagar	.. Nowapara.
		7. Sarsha ..	.. Sarsha.

District.		Name of Circle.	Name of Circle Headquarters.
1		2	3
Jessore	.. Jhenidah	.. 1. Jhenidah	.. Jhenidah.
		2. Kotchandpur	.. Kotchandpur.
		3. Kaliganj.	.. Kaliganj.
		4. Shailkopa	.. Sailkopa.
		5. Harinakundu	.. Harinakundu.
		6. Moheshpur	.. Moheshpur.
	Magura	.. 1. Magura	.. Magura.
		2. Sripur ..	.. Sripur.
		3. Salikha..	.. Salikha.
		4. Mohammadpur	.. Mohammadpur.
	Narail	.. 1. Narail ..	.. Narail.
		2. Lohagara	.. Lohagara.
		3. Kalia ..	.. Kalia.
Kushtia	.. Sadar	.. 1. Kushtia	.. Kushtia.
		2. Kumarkhali	.. Kumarkhali.
		3. Khoksha	.. Khoksha.
		4. Daulatpur	.. Allardarga.
		5. Bheramara	.. Bheramara.
		6. Mirpur	.. Mirpur (Amla).
	Chuadanga	.. 1. Chuadanga	.. Chuadanga.
		2. Alamdanga	.. Alamdanga.
		3. Damurhuda	.. Darsana.
		4. Jibannagar	.. Andulbaria.
	Meherpur	.. 1. Meherpur	.. Meherpur.
		2. Gangni..	.. Bhatpara.
Bakarganj	.. Sadar South ..	1. Kotwali	.. Kotwali.
		2. Bakarganj	.. Bakarganj.
		3. Jhalakati	.. Jhalakati.
		4. Nalchiti	.. Nalchiti.
		5. Rajapur	.. Rajapur.
	Sadar North	1. Gournadi	.. Goylia.
		2. Babuganj	.. Rahamatpur.
		3. Uzirpur	.. Uzirpur.
		4. Mehendiganj	.. Mehendiganj.
		5. Hizla ..	.. Hizla.
		6. Muladi	.. Muladi.
	Patuakhali	.. 1. Patuakhali	.. Patuakhali.
		2. Bauphal	.. Bauphal
		3. Galachipa	.. Galachipa.
		4. Mirzaganj	.. Mirzaganj.
		5. Barguna	.. Barguna.
		6. Betagi ..	.. Betagi.
		7. Amtali	.. Amtali.
		8. Kalapara	.. Kalapara.

District.		Name of Circle.	Name of Circle Headquarters.
1		2	3
Bakarganj ..	Pirojpur ..	1. Pirojpur	.. Pirojpur.
		2. Swarupkati	.. Swarupkati.
		3. Kowkhali	.. Kowkhali.
		4. Banaripara	.. Banaripara.
		5. Nazipur	.. Nazipur.
		6. Mathbaria	.. Mathbaria.
		7. Bhandaria	.. Bhandaria
		8. Patharghata	.. Patharghata.
		9. Kathalia	.. Kathalia.
		10. Bomna	.. Bomna.
Bhola	..	1. Bhola ..	.. Bhola.
		2. Daulatkhan	.. Daulatkhan.
		3. Tazumaddi	.. Tazumaddi.
		4. Burhanuddin	.. Burhanuddin.
		5. Lalmohan	.. Lalmohan.

By order of the Governor,
K.A. HAQUE,
Chief Secy. to the Govt. of East Pakistan.

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Extraordinary

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SATURDAY, DECEMBER 30, 1961

PART I—Orders and Notifications by the Governor of East Pakistan, the Administrator, Martial Law in East Pakistan, the High Court, Government Treasury, etc.

GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE SUBDIVISIONAL OFFICER, MAULVIBAZAR, SYLHET

NOTIFICATION

No. 10115DBD—28th December 1961—In exercise of the powers conferred on me under Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, M. Abdus Sattar, C. S. P., Subdivisional Officer, Maulvibazar, do hereby notify that the following appointed councillor has resigned from the Union Council noted against him and his resignation has been accepted:

P. S. Barlekha

Name of Union Council.	Name and particulars of the councillor resigned.
Barlekha ..	Mr Abdur Rahim Choudhury, son of Ibrahim Ali Choudhury, village Panidhar.

M. ABDUS SATTAR,
Subdivisional Officer, Maulvibazar, Sylhet

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GOVERNMENT OF EAST PAKISTAN

COMMERCE, LABOUR AND INDUSTRIES DEPARTMENT

Labour Section II

NOTIFICATION

No. 10A-39/61/1179-L/II—30th December 1961—Whereas the Chittagong Aluminium Factory Workers' Union, 6, Nowab Sirajuddowlla Road, Chittagong, on behalf of five Spinners of City Aluminium Works has applied under section 31 of the Industrial Disputes Ordinance, 1959 (Ordinance No. LVI of 1959), to the Industrial Court, East Pakistan, at Dacca, against Messrs City Aluminium Works, Chaktai, Chittagong;

And whereas the said Court has given its decision as appended hereto;

Now, therefore, in pursuance of sub-section (*2*) of section 12 read with section 31 of the said Ordinance, the Governor is pleased to direct that the decision be published in an extraordinary issue of the *Dacca Gazette*.

By order of the Governor,
M. A. SIDDIQUI, T.Q.A., C.S.P.,
Jt. Secy. to the Govt. of East Pakistan.

IN THE COURT OF THE CHAIRMAN, INDUSTRIAL COURT

Industrial Dispute case No. 65/60.

The Chittagong Aluminium Factory Workers' Unio 6, Nowab Serajuddowlla Road, Chittagong, c behalf of five Spinners of City Aluminiun Works—*1st Party.*

versus

Messrs City Aluminium Works, Chaktai, Chittagon —*2nd Party.*

Mr Mozammel Huq, Advocate, for the 1st Party.

Mr Azizul Huq, Advocate, for the 2nd Party.

Before:

M. A. Jalil, Esq. .. .. *Chairman, Industria Court, East Pakistar*

Mr K. M. Nasirul Haque .. } *Members.*

Mr K. M. M. Abdul Qader ..

DECISION

This case arises out of an application under s tion 31 of the Industrial Disputes Ordinance, 19 Under section 39 of the East Pakistan Industrial Dis putes Rules, 1960, the application is required to be signed and dated by the employee or employees concerned. In this case, however, the application has not been signed or dated by the employees who claim to have been affected by the alleged alteration of the service condition during the pendency of the Court Proceedings in relation to the industrial dispute between the parties. The learned Advocate for the 1st party concedes that the application is not in proper form and accordingly declines to proceed with the case.

In the result, the application is rejected.

M. A. JALIL,
Chairman, Industrial Court.

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GOVERNMENT OF EAST PAKISTAN

OFFICE OF THE SUBDIVISIONAL OFFICER, SERAJGANJ, PABNA

NOTIFICATIONS

No. 62 BD—26th December 1961—In exercise of the powers conferred upon me under Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, M. A. Majumdar, Subdivisional Officer, Serajganj, as the Controlling Authority, do hereby notify that Mr Abdul Hai Sarker, son of Haji Mennat Ali of Sadiachandpur Union Council, in police-station Chouhali of district Pabna, has duly been elected uncontested councillor from the Ward No. IV of Sadiachandpur Union Council, under Article 24 of the aforesaid Order to fill up the vacancy caused by death of Mr Mennat Ali Sarker, an elected councillor of Ward No. IV of Sadiachandpur Union Council, whose name has been published at page 363 of the *Dacca Gazette, Extraordinary*, dated the 28th January 1960, under notification Nos. 492-570, dated the 22nd January 1960.

No. 63BD—26th December 1961—In exercise of the powers conferred upon me under Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, R. A. Majumdar, Subdivisional Officer, Serajganj, as the Controlling Authority, do hereby notify that Mr Amulya Chandra, son of Goshai of Kaizuri Union Council, in police-station Shahzadpur of Pabna district, has duly been elected uncontested councillor from Ward No. I of Kaizuri Union Council, under Article 24 of the Basic Democracies Order to fill up the vacancy caused by resignation of Mr Naresh Chandra, an elected councillor of Ward No. I of Kaizuri Union Council, whose name has been published at page 362 of the *Dacca Gazette, Extraordinary*, dated the 28th January 1960, under notification Nos. 492-570, dated the 22nd January 1960.

No. 64BD—26th December 1961—In exercise of the powers conferred upon me under Article 26 of the Basic Democracies Order, 1959 (President's Order No. 18 of 1959), read with rule 54 of the Basic Democracies (Conduct of Election) Rules, 1959, I, R. A. Majumdar, Subdivisional Officer, Serajganj, as the Controlling Authority, do hereby notify that Mr Emarat Ali Mia, son of Aser Uddin Mia of Potazia Union Council, police-station Shahzadpur of district of Pabna, has duly been elected uncontested councillor from the Ward No. VII of Potazia Union Council under Article 24 of the aforesaid Order to fill up the vacancy caused by death of Mr Jomarat Ali Mia, an elected councillor of Ward No. VII of Potazia Union Council, whose name has been published at page 361 of the *Dacca Gazette, Extraordinary*, dated the 28th January 1960, under notification Nos. 492-570, dated the 22nd January 1960.

R. A. MAJUMDAR,
Subdivisional Officer, Serajganj, Pabna.

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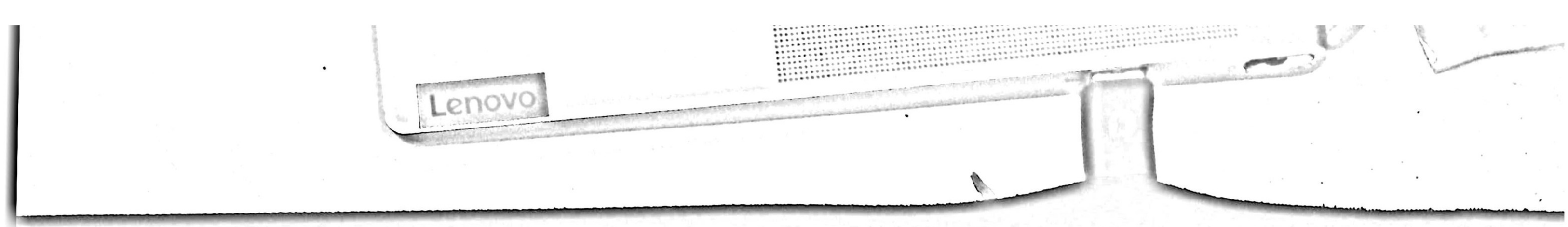
Lenovo

Dacca—No. GAI-210/64-1945—31st December 1964—Mr Abdul Momen Khan, E. P. C. S., Deputy Secretary to the Government of East Pakistan, Health, Labour and Social Welfare Departments, is allowed leave on average pay, for rest and recreation, for one month with effect from the 4th January 1965, under rule 3(*1*)(*b*)(*ii*) of the Prescribed Leave Rules, 1959.

By order of the Governor,
ALI ASGHAR,
Chief Secy.

Dacca—No. GAI-465/64-3—2nd January 1965—Mr Gowharuzzaman Choudhuri, E. P. C. S., Deputy Secretary to the Government of East Pakistan, Food Department, is allowed leave on average pay for one month, for rest and recreation, with effect from 11th January 1965, under rule 3(*1*)(*b*)(*ii*) of the Prescribed Leave Rules, 1959.

Dacca—No. GAVII/4S-51/64-Pt/927—28th December 1964—Mr Abu Sayed Choudhury, Section Officer, Agriculture Department, was allowed leave on average pay for one day on the 8th December 1964, under rule 3 (*1*)(*b*)(*ii*) of the Prescribed Leave Rules, 1959, in extention of the leave granted to him under this department notification No. GAVII/4S-51/64-Pt-796, dated the 2nd November 1964.

By order of the Governor,
H. T. ALI,
Addl. Chief Secy.

Leave

Police

Dacca—No. GAIII-12/64-1072—31st December 1964—Mr Abdul Hafiz, officiating Additional Superintendent of Police, Dacca, has been allowed four months' leave on average pay, with effect from the 7th December 1964 (afternoon), subject to title.

By order of the Governor,
ALI ASGHAR,
Chief Secy.

FINANCE DEPARTMENT

Implementation Unit

NOTIFICATION

No. F/IU-32/64/447—26th December 1964—In exercise of the powers conferred by sub-clause (*b*) of clause (*2*) of Article 178 of the Constitution of the Republic of Pakistan, the Governor is pleased to make the following amendments to the East Pakistan Subordinate Services (Revision of Pay) Rules, 1962, namely:

AMENDMENT

Under the head "Health, Labour and Social Welfare Deptt." the following entries shall be *inserted* with sub-heads—

Mental Hospital, Pabna

Name of post.	Modified Scale.	Revised Prescribed Scale.
Steward	Rs. 170—10—220	Rs. 240—10—300.
Physical Instructor	Rs. 140—5—195—EB—10—275	Rs. 200—8—240—EB—10—300—15—375.
Assistant Physical Instructor ...	Rs. 85—5—110—10—170	Rs. 120—5—170—EB—8—250.
Tailor	Rs. 60—2—90	Rs. 100—3—145.
Head Clerk	Rs. 85—5—110—10—170	Rs. 120—5—170—EB—8—250.
Accountant	Rs. 110—5—170	Rs. 140—5—170—EB—8—250.
Cashier	Rs. 75—5—80—6—122—EB—6—170.	Rs. 110—5—150—EB—8—240.
Clerk, Typist, Store-Keeper, Diet clerk.	Rs. 65—5—115—EB—5—150	Rs. 110—5—160—EB—8—240.
Compounder (Passed) ...	Rs. 70—4—110—5—120	Rs. 110—5—170.
Compounder (unpassed) ...	Rs. 60—3—90	Rs. 110—3—145.
Ward Master	Rs. 85—3—115—5—140	Rs. 120—5—210.
Occupational Therapist ...	Rs. 220—10—270	Rs. 300—10—370.
Assistant Occupational Therapist	Rs. 85—5—110—10—170	Rs. 120—5—170—EB—8—250.
Ambulance Drivers ...	Rs. 70—3—100—150	Rs. 110—4—150—EB—5—210.
Male, Sweeper, Head Aya, Sardar Jamadar	Rs. 60—2—70—3—100 Rs. 35—1—50 *plus* special pay of Rs. 5.	Rs. 100—3—145. Rs. 70—1—85—2—95, *plus* special pay of Rs. 7.
Cook, Barbar, Mali, Darwan Bhisty, Sweeper, Cooli, Cleaner-*Cum*-Stetcher Bearer, Female Aya, Ward Servants, Peon, Dome.	Rs. 35—1—50	Rs. 70—1—85—2—95.

Deputy Director of Health, Divisions

Head Clerk	Rs. 85—5—110—10—170	Rs. 120—5—170—EB—8—250.
Typist-*Cum*-Clerk	Rs. 65—5—115—EB—5—150	Rs. 110—5—160—EB—8—240.

District Resesve Store

Officer-in-charge	Rs. 140—5—220	Rs. 200—10—300.
Store Clerk	Rs. 60—2—70—3—100	Rs. 100—3—145.
Darwan, Pacher, Peon ...	Rs. 35—50	Rs. 70—1—85—2—95.