

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ গেজেট



অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বুধবার, ডিসেম্বর ২৩, ২০০৯

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

মন্ত্রিপরিষদ বিভাগ

প্রজ্ঞাপন

ঢাকা, ০৯ পৌষ ১৪১৬/২৩ ডিসেম্বর ২০০৯

নং মপবি ৪/(১)/২০০৯-বিধি/১৭৬—সরকার Rules of Business, 1996 এর rule 3(i) এ প্রদত্ত ক্ষমতাবলে MINISTRY OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS এর অধীনে A. Law and Justice Division (আইন ও বিচার বিভাগ) এবং B. Legislative and Parliamentary Affairs Division (লেজিসলেটিভ ও সংসদ বিষয়ক বিভাগ) নামে দুইটি বিভাগ গঠন করিল।

২। ইহা অবিলম্বে কার্যকর হইবে।

রাষ্ট্রপতির আদেশক্রমে

এম আবদুল আজিজ এনডিসি

মন্ত্রিপরিষদ সচিব।

মোঃ মাছুম খান (উপ-সচিব), উপ-নিয়ন্ত্রক, বাংলাদেশ সরকারি মুদ্রণালয়, ঢাকা কর্তৃক মুদ্রিত।
মোঃ আবুল কাসেম, অতিঃ নিয়ন্ত্রক, উপ-নিয়ন্ত্রক এর অতিরিক্ত দায়িত্বে, বাংলাদেশ ফরম ও প্রকাশনা অফিস,
তেজগাঁও, ঢাকা কর্তৃক প্রকাশিত। www.bgpress.gov.bd

(৭৯২৫)

মূল্য : টাকা ২.০০

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বুধবার, ডিসেম্বর ২৩, ২০০৯

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

মন্ত্রিপরিষদ বিভাগ

প্রজ্ঞাপন

ঢাকা, ০৯ পৌষ ১৪১৬ বঙ্গাব্দ/২৩ ডিসেম্বর ২০০৯ খ্রিস্টাব্দ

এস, আর, ও নং ২৭৩-আইন/২০০৯-মপবি-৪(১)/২০০৯-বিধি।—গণপ্রজাতন্ত্রী বাংলাদেশের সংবিধানের ৫৫(৬) অনুচ্ছেদে প্রদত্ত ক্ষমতাবলে রাষ্ট্রপতি Rules of Business, 1996 এর নিম্নরূপ অধিকতর সংশোধন করিলেন, যথা :—

১। উপরি-উক্ত Rules এর rule 14 এর পরিবর্তে নিরূপ rule 14 এবং rule 14A প্রতিস্থাপিত হইবে, যথা :—

æ14. Consultation with the Law and Justice Division.—(1) The Law and Justice Division shall be consulted—

- (i) on all legal questions arising out of any case;
- (ii) on the interpretation of any law arising out of any proceedings;
- (iii) before tendering advice on a mercy petition against an order of death sentence and pardon, reprieve, respite, remission, suspension or commutation of any sentence;
- (iv) before involving the Government in a criminal or civil proceeding instituted in a Court of Law; and
- (v) whenever criminal or civil proceedings are instituted against the Government.

(৭৯২৭)

মূল্য : টাকা ৬.০০

(2) No Ministry shall consult the Attorney-General except through the Law and Justice Division and in accordance with the procedure laid down by that Division.

(3) If there is disagreement between the Attorney-General and the Law and Justice Division, the case shall be submitted to the Minister of Law, Justice and Parliamentary affairs for decision.

14A. Consultation with the Legislative and Parliamentary Affairs Division.—(1) The Legislative and Parliamentary Affairs Division shall be consulted—

- (i) on all proposal for legislation;
- (ii) on all legal questions arising out of any legislative proposal;
- (iii) preparation of important contracts, international agreements, international conventions pronouncing and modifying international law;
- (iv) on interpretation of any legislation;
- (v) before the issue of or authorization of the issue of a rule, regulation or bye-law, etc, in exercise of statutory power.

(2) No Ministry shall consult the Attorney-General except through the Legislative and Parliamentary Affairs Division and in accordance with the procedure laid down by that Division.

(3) If there is disagreement between the Attorney-General and the Legislative and Parliamentary Affairs Division, the case shall be submitted to the Minister of Law, Justice and Parliamentary affairs for decision." ।

২। উপরি-উক্ত Rules এর SCHEDULE-I (Allocation of Business among the different Ministries and Divisions) এর Serial No. "29. MINISTRY OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS" শিরোনাম ও তৎসংক্রান্ত এন্ট্রিসমূহের পরিবর্তে নিরূপ শিরোনাম ও এন্ট্রিসমূহ প্রতিস্থাপিত হইবে এবং উক্ত শিরোনামার অধীন

"A. Parliament Secretariat:" উপ-শিরোনামটি "C. Parliament Secretariat:" উপ-শিরোনামে পুনঃসংখ্যায়িত হইবে, যথা :—

"29. MINISTRY OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS

A. Law and Justice Division

1. Advice to all Ministries, Divisions and offices on all legal and constitutional questions arising out of any case, and on the interpretation of the Constitution and any law including International law.
2. Conventions with other countries on judicial matters.
3. Dealings and agreements with other countries and International Organization in judicial matters.
4. Administration of justice.
5. Organization, Jurisdiction and powers of all courts, except revenue courts, tribunals under any law; prize courts and contempt of courts.
6. Appointment and terms and conditions of service of chairman and members of courts and tribunals.
7. Matters relating to the Supreme Court, appointments and terms and conditions of service of the Chief Justice and other Judges.
8. All matters relating to Bangladesh Judicial Service Commission.
9. All matters relating to Judicial Administration Training Institute (JATI).
10. Fees taken in courts and tribunals; judicial stamps; court-fees and stamp duties.
11. Matters relating to Government law officers; appointment and terms and conditions of service of Attorney-General, Additional Attorney-General, Deputy Attorney-General, Assistant Attorney-General, Government pleaders, Public prosecutors, Special prosecutors and legal advisers to all statutory corporations and bodies.

12. Conduct of cases on behalf of the Government in all courts and tribunals.
13. Will, intestacy and succession.
14. Reciprocal agreements with foreign countries for the services of summons in civil suits and for the execution of decrees of civil courts, for the enforcement of maintenance orders and for the administration of the estates of foreigners dying in Bangladesh.
15. Authorization of officers to sign and verify claims or written statements in suits by or against the Government.
16. Administration of Bangladesh Judicial Service including posting, transfer etc. of judicial officers.
17. Administration and control of subordinate offices and organizations under this Division.
18. Liaison with International Organizations and matters relating to treaties and agreements with other countries and world bodies relating to subjects allotted to this Division.
19. Appointment and terms and conditions of service of Administrator-General and Official Trustee; Official Receiver.
20. Inquiries and statistics on any of the subjects allotted to this Division.
21. Fees in respect of any of the subjects allotted to this Division except fees taken in courts.
22. Marriage and divorce, infants and minors, adoption, joint family and partition.
23. Legal proceedings and advice thereon.
24. Civil procedure.
25. Criminal law and Criminal procedure.
26. Evidence and oath.

27. Trusts and trustees.
28. Arbitration and limitation.
29. Bankruptcy and insolvency.
30. Transfer of property.
31. Registration.
32. Money-lending and money-lenders.
33. Legal aid to the poor, defence of paupers and undefended accused.
34. Secretariat administration including financial matters.

B. Legislative and Parliamentary Affairs Division :

1. Advice to all Ministries, Divisions and offices on all legal and constitutional questions arising out of any legislative proposal and on the interpretation of the Constitution and any law including international law related to such proposal.
2. Drafting, scrutiny and opinion on all kinds of Bills, Ordinances, constitutional Orders, statutory orders, rules, regulations, by-laws, resolutions, notifications, any custom or usage having the force of law and any other legal instruments.
3. Drafting, scrutiny and opinion on all contracts and agreements including international contracts, agreements, covenants, memorandum of understanding and all other legal instruments.
4. Interpretation of international treaties, conventions and international legal affairs and matters relating to international arbitration arising out of International treaties, contracts, etc.
5. Translations of laws and other statutory rules and orders.
6. Copyrights in Government law publications.
7. Publication of Acts, Ordinances and Constitutional Orders and other Statutory Orders, rules, regulations and other legal instruments.
8. Publication of authorized translation in Bengali of Acts, Ordinances and constitutional Orders and statutory Orders, rules and regulations.

9. Compilation and publication of unrepealed Acts and Ordinances and constitutional and President's Orders and other Statutory Orders, and regulations.
10. Codification, consolidation, adaptation and technical amendment of laws.
11. Posting, transfer, deputation etc. of Legislative Drafting and Translation Officials.
12. Administration and training of Legislative Drafting Officials and other Officials and Staffs employed in the Division.
13. Administration and control of subordinate offices and organizations under this Division.
14. Liaison with International Organizations and matters relating to treaties and agreements with other countries and world bodies relating to subjects allotted to this Division.
15. Affairs relating to the Parliament, if required.
16. Inquiries and statistics on any of the subjects allotted to this Division.
17. Fees in respect of any of the subjects allotted to this Division except fees taken in courts.
18. Matters relating to Human Rights and the Human Rights Commission.
19. Office of Ombudsman.
20. All legislative matters relating to Election Commission.
21. Law Commission and Commission on legal matters.
22. Matters relating to Law Reforms.
23. Administration of information and communication technology cell.
24. Secretariat administration including financial matters.
25. Administration of copyright of all laws of the Government.
26. Laws on subjects allotted to this Division."।

৩। উপরি-উক্ত Rules এর SCHEDULE-III এর Serial No.1 এর পর “MINISTRY OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS” শিরোনাম এর পরিবর্তে “MINISTRY OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS:

LAW AND JUSTICE DIVISION” শিরোনাম প্রতিস্থাপিত হইবে।

৪। উপরি-উক্ত Rules এর SCHEDULE-IV এর Serial No. 45A এর পর উল্লিখিত “MINISTRY OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS” শিরোনাম এবং তৎসংক্রান্ত এন্ট্রিসমূহের পরিবর্তে নিরূপ শিরোনাম এবং এন্ট্রিসমূহ প্রতিস্থাপিত হইবে, যথা ঃ—

“ LAW AND JUSTICE DIVISION

Serial No.	Nature of Cases	Article of the Constitution
46.	Appointment of the Attorney-General for Bangladesh.	64
47.	Assignment of duties of the Attorney-General, determination of his remuneration and termination of his office.	64(2) & (4)
48.	Appointment and resignation of the judges of the Supreme Court of Bangladesh.	95(1)
49.	Removal of the Judges of Supreme Court of Bangladesh.	96(2)
50.	Framing of rules on pay, allowances and privileges of Judges of the Supreme Court until determined by or made under an Act of Parliament.	147
51.	Performance of the duties of the Chief Justice by the next Senior Judge of the Appellate Division of the Supreme Court.	97
52.	Appointment and resignation of Additional Judges of the Supreme Court.	98
53.	Holding of Sessions of High Court Division at places other than the Capital.	100
54.	Obtaining opinion of the Supreme Court on a question of law.	106
55.	Rules made for regulating practices and procedures of each Division of the Supreme Court and of any court sub-ordinate to it, subject to any law made by Parliament.	107(1)

LEGISLATIVE AND PARLIAMENTARY AFFAIRS DIVISION

Serial No.	Nature of Cases	Article of the Constitution
56.	Making of rules specifying the manner in which orders and other instruments made in the name of the President should be attested or authenticated.	55(5)
57.	Promulgation of ordinances.	93(1) & (3)”।

৫। ইহা অবিলম্বে কার্যকর হইবে।

রাষ্ট্রপতির আদেশক্রমে
এম আবদুল আজিজ এনডিসি
মন্ত্রিপরিষদ সচিব।

মোঃ মাছুম খান (উপ-সচিব), উপ-নিয়ন্ত্রক, বাংলাদেশ সরকারি মুদ্রণালয়, ঢাকা কর্তৃক মুদ্রিত।
মোঃ আবুল কাসেম, অতিঃ নিয়ন্ত্রক, উপ-নিয়ন্ত্রক এর অতিরিক্ত দায়িত্বে, বাংলাদেশ ফরম ও প্রকাশনা অফিস,
তেজগাঁও, ঢাকা কর্তৃক প্রকাশিত। www.bgpress.gov.bd