

**THE CANTONMENT  
SERVANTS RULES-1954  
(INCORPORATING ALL AMENDMENTS.  
UPTO 1ST OF SEPTEMBER, 1967)**



**MINISTRY OF DEFENCE**  
**Defence Division**  
**NOTIFICATION**  
**Dhaka, the 14th December, 1982.**

**No. S.R.O. 422-L/82.**—The following draft of certain further amendments to the Cantonment Servants Rules, 1954, which it is proposed to make in exercise of the powers conferred by section 280 of the Cantonments Act, 1924 (II of 1924), is hereby published as required by sub-section (1) of the said section for the information of persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after six weeks.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Government:

**Draft Amendments**

In the aforesaid Rules,—

(1) throughout the rules, unless otherwise specified—

(a) for the word "Pakistan" wherever occurring the word "Bangladesh" shall be substituted;

(b) for the word "Central Government" wherever occurring the word "Government" shall be substituted;

(2) in rule 1, in sub-rule (1), the word "Pakistan" shall be omitted;

(3) in rule 2, in sub-rule (1), clause (g) shall be omitted;

(4) in rule 7,—

(a) for sub-rule (1) the following shall be substituted, namely;—

"(1) Subject to the provisions of sub-rule (1a), the Executive Officer shall appoint all servants whose pay on appointment does not exceed taka three hundred twenty-five per mensem.";

(b) in sub-rule (1a), for the word "rupees" the word "taka" shall be substituted;

(c) in sub-rule (3), for the words "Central Government or any Provincial Government" the word "Government" shall be substituted;

(5) in rule 8, in sub-rule (1), in clause (d), for the words "a Provincial or Central Legislature" the word "Parliament" shall be substituted;

(6) in rule 42, in sub-rule (2), in clause (c), for the words "State Bank of Pakistan" the words "Bangladesh Bank" shall be substituted;

(7) in rule 48, the word "Pakistan" shall be omitted;

(8) in rule 51,—

(a) in sub-rule (1), for the letters and figure "Rs. 120" the word and figure "taka 300.00" shall be substituted; and

(b) in sub-rule (2), for the word and figure "Rs. 5" the word and figure "taka 10.00" shall be substituted;

(9) in rule 54, in sub-rule (1), for the word "Pakistan" the words "The People's Republic of Bangladesh" shall be substituted;

(10) in rule 61, the word "Pakistan" shall be omitted.

By order of the  
Chief Martial Law Administrator  
M. A. Khan  
Deputy Secretary.



**GOVERNMENT OF BRISTWILE PAKISTAN**  
**MINISTRY OF DEFENCE NOTIFICATION KARACHI,**  
**THE 10TH, MARCH, 1954.**

No. 255/54—In exercise of the powers conferred by clause (c) of sub-section (2) of section 280 of the Cantonments Act, 1924 (II of 1924), the Government is pleased to make the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:—

**RULES**

1(1) These rules may be called the Cantonment Servants Rules, 1954.

(2) These shall extend to all Cantonments in Bangladesh and shall apply to all persons to whom the Cantonment Fund Servants Rules, 1937, applied and to all persons to be appointed under these rules.

(3) These shall come into force on the first day of March, 1954.

**DEFINITIONS**

2 (1) In these rules, unless there is anything repugnant in the subject or context—

(a) the “Act” means the Cantonments Act, 1924 (II of 1924);

(b) “Board” means a Cantonment Board as defined in the Act;

(c) the “Cantonment Fund” means a fund formed under section 106 of the Act, and every such fund shall be deemed to be a “local fund” under Fundamental Rule 9(14);

(d) “Cantonment Servant” means a Servant of a Board holding a substantive whole time appointment under the Board, paid from the Cantonment Fund;

(e) “Class IV Servant” includes Daftri, peon, Messenger, Chowkider, Orderly, Head-Mali, Mali, Bhisty, Carpenter, Mason, Blacksmith, Dhobi, Cooly; Belder, Sweeper, Dai, Nursing Orderly, Dresser, Aya, Cock, Ward-orderly, Motor-driver, Fire-man, Bullock-

Cart-driver, Water-cart driver, Rubbish-Cart-driver, Book-binder, Anti-malaria cooly, Mate, Painter, and any other servant declared by the Government to be class IV servants for the purpose of those rules;

(e) "Director" means the Director, Military Lands and Cantonments, and includes such other office as the Government may appoint to exercise all or any of the powers of the Director under those rules;

(f) "Executive Officer" means the Executive Officer of an Cantonment.

(h) "Pay" means pay as defined in Rule (21, (a) (i) and (ii) of the Fundamental Rules.

(i) Selected.

(j) "Present Pay" means the pay of a Cantonment Servant on the 28th February, 1954.

(k) "President" means the President of a Cantonment board or, in a Cantonment where, there is no Board, the Officer commanding the Station and

(1) "Temporary servant" means a servant appointed under rule 9 of these rules.

(2) Other expressions used in those rules which are defined in the Act or in the Fundamental Rules are used in the same sense in these Rules.

3. (1) Chapters I to XI of the Fundamental Rules and the Supplementary Rules made thereunder shall, so far as they are not inconsistent with those rules, apply to all Cantonment Servants. The powers of a local Government referred to in the said Fundamental Rules shall be exercised in respect of such servants by the Director.

(2) Notwithstanding anything contained in sub-rule (1), the Revised leave Rules, 1933 shall apply to all Cantonment Servants appointed on or after the 18th September, 1937.

4. (1) Every Board shall with the sanction of the Director, determine what servants are required for the proper and efficient execution of its duties and fix the pay to be paid to such servants out of the Cantonment Fund.

(2) No alternations in the number, designations and scales of pay of such servants shall be made without the sanction of the Director.

(3) The procedure for the submission of proposals for such alternations shall be determined by the Director by general or special order.

(4) The Director may require a Board at any time to adopt such scale of pay for Cantonment Servants as he may direct.

5. (1). Notwithstanding anything contained in these rules or in the terms and conditions of service of any servant, the Director may at any time specify posts having a common designation and analogous duties in the service of Boards these incumbents may in the Public interest be transferred from one Cantonment to another under his orders, and may divide the Cantonments into suitable groups for this purpose. The pay scales fees and allowances payable to such incumbents out of the Cantonment Funds Concerned shall be such as may be determined by the Director from time to time in respect of any or all the Cantonments.

Provided that nothing in these rules shall have the effect of altering the existing terms and conditions of service of any servant (in so far as these terms and conditions relate to remuneration or age fixed for superannuation) to his dis-advantage.

(2) The cadre, methods of recruitment, promotion & selection to transferable posts in service of Boards shall be determined by the Director.

Provided that any servant holding a post included in the transferable category shall be allowed to continue in his existing scale of pay.

(3) No direct recruitment to the posts in the transferable category shall ordinarily be made and vacancies in such posts shall be filled up by selection or transfer of Cantonment servants from any Cantonment if considered suitable by the Director.

Provided that no servant shall, as of right, be entitled to be transferred or selected to fill such posts.

(4) If Cantonment servants of the requisite qualifications and calibre are not available, the Director may fill up such a post by direct recruitment.

(5) The conditions of grant of advance of travelling allowances and pay to transferable Cantonment Servants on transfer and the manner of adjustment there of shall be determined by orders made by the Director from time to time.

(6) A copy of the Annual Confidential Report in respect of a transferable Cantonment Servant in the form prescribed by the Director under this rule shall be sent to the Director in January every year.

(7) The Director shall maintain a seniority list of all categories of transferable posts.

#### **FIRST APPOINTMENT OF CANTONMENT SERVANTS**

6. (1) All first appointments to service under a Board shall be on probation and no person so appointed shall be confirmed until he has satisfied the authority which appointed him by probationary service for such period, not being less than 12 months, as that authority may determine and by passing the departmental examination as prescribed under these rules that he is fully qualified to hold the appointment. The period of probation may be extended.

(2) For the purposes of these rules, a servant who has been confirmed in his appointment after a period of probationary service shall be deemed to have commenced his service from the date of his appointment on probation.

(3) If consequentially upon the inclusion of an area therefore included within the jurisdiction of a local authority other than a Board, persons there; tofore in the service of such other local authority are transferred to the service of a Board, the Board may, with the previous sanction of the Director and notwithstanding anything contained in these rules, direct that all or any

of such purposes shall, for all or any of the as of these rules, be deemed to have been servants of the Board for such continuous period immediately preceding their Transfer to the service of the Board as was spent by them in the Service of the local authority. When giving his sanction, the Director may impose such conditions, as he may think proper.

(4) The Director may, subject to such conditions and for such purposes as he may think proper, include in the service of a servant the Previous service rendered by him under any other Board.

### **APPOINTMENT AUTHORITIES**

7. (1) Subject to the provisions of sub-rule (1a) the Executive Officer shall appoint all servants whose pay on appointment does not exceed taka three hundred twenty five per mensem and the president (assisted by a committee consisting of the Executive Officer and an elected member of the Board chosen by the Board) shall appoint all servants whose pay on appointment exceeds two hundred rupees 350 but does not exceed rupees five hundred;

Provided further that in the case the constitution of a Board is varied under section 14 of the Act, the President shall, in making appointments, be assisted by the Executive Officer only.

(1a) The Director shall appoint all other Cantonment Servants whose pay on appointment exceeds Taka five hundred including the Headmasters of High Schools, Principals and other Heads of institutions and those covered by rule 5.

(2) The Executive Officer shall—

(a) apportion and control and superintend the performance of the duties,

(b) disburse in person the pay and allowances,

(c) deal with applications for leave of absence, &

(d) make efficiating appointments in vacancies caused by the grant of leave of all Cantonment Servants.



Provided that the Medical officer-in-charge of a Cantonment Hospital or dispensary and the Headmaster or the Headmistress of a School, other than a primary School, shall perform the functions referred to in clause (a) and (b) in respect of all servants employed in the Cantonment hospital or dispensary, and the School respectively.

(3) No person shall be appointed under this rule who has been dismissed from any service under this the Government or any Board or local authority, or has been sentenced by a criminal court to imprisonment or to transportation, or has been ordered to give security or has been bound over for good behaviour under the Code of Criminal procedure, 1898, or has been sentenced by a Criminal Court for any offence under chapter IX-A of the Pakistan penal Code or is an undischarged insolvent adjudged by a competent court.

(4) The appointing authorities under sub-rule (1) shall only appoint fit and proper persons. They shall comply with executive instructions issued by Government, from time to time, on the subject of recruitment of Government Servants of the Class and status concerned.

(5) The appointment, posting, promotion and transfer of servants appointed by and with the sanction of the Director shall be notified in the official Gazette.

#### **DISCHARGE OF CANTONMENT SERVANTS**

8(1) The appointing authority may discharge a servant appointed by it—

- (a) during his period of probation; or
- (b) on his being declared by a medical officer approved by Director in this behalf to be medically unfit for further service; or
- (c) on his attaining the age of sixty years or on the expiration of any further period for which he is retained in service after attaining that age; or
- (d) on his engaging in politics or seeking election to a local body or Parliament;

Aiding, subscribing to or assisting in any manner any movement which is, or tends directly or indirectly to be subversive of or likely to embarrass the Government as by law established in Bangladesh or which tends to promote feelings of hatred or enmity between different classes of the public or tends to or disturb the peace or public order;

Provided that no action shall be taken against him unless and until an opportunity has been given to him of shewing cause against his discharge under this clause, or

(e) in pursuance of a provision contained in a written contract between such servant and the Board;

(f) in pursuance of a reduction or revision of establishment, or

(g) for disregarding the rules relating to conduct or failing to pass the Departmental examinations and not otherwise.

Provided that a Servant appointed with the approval of the Government or the Director shall not be discharged under clause (a) without the prior approval of the Government or the Director as the case may be.

(2) A Servant in receipt of a monthly wages who is discharged during a period of probation shall, in the absence of a written contract to the contrary, be entitled to one month's notice before discharge or the one month's wages in lieu thereof, and a servant who has been confirmed and has not attained the age of sixty years and is discharged in pursuance of a reduction or revision of establishment shall, in the absence of a written contract to the contrary, be entitled to three months notice before discharge or to three months wages in lieu thereof.

Provided that in case of servants employed temporarily under rule 9 the appointing authority may dispense with the services of such servants for sufficient reasons on giving one month's notice or paying one month's wage in lieu thereof.

(3) There shall be paid to a servant not having attained the age of sixty years who is discharged in pursuance of clause (b) or clause (f) of sub-rule (1) of a compensatory gratuity calculated at the rate of half a month's pay for each complete year of qualifying service subject to a maximum of six months pay where his qualifying service has been less than 1 year and of 12 month's pay where his qualifying service has been more than 15 years and subject also to the condition that the amount of gratuity payable shall not exceed the amount of pay which the servant would have drawn after his discharge had he remained in service until he attained the age of sixty years.

Provided that no gratuity shall be paid, if-

(a) the servant has been offered and has refused an alternative appointment or approximately equal pay under the same board, which was in the opinion of the appointing authority, of a suitable nature, or

(b) the servant's service has not been efficient and faithful.

**Explanation 1**—For the purpose of this rule “qualifying service” means continuous service under the same Board and subject to such conditions as the Director may think proper, includes previous service under any other Board.

Provided that the appointing authority may in its discretion, include in the computation of qualifying service the amount of any leave earned but not taken by the servant concerned.

**Explanation 2**—For the purpose of this rule, “pay” means substantive pay at the rate applicable to the servant concerned at the time of his discharge.

(4) The appointing authority may, in its discretion, grant leave to Cantonment Servant not having attained the age of sixty years who is discharge in pursuance of clause (f) of sub-rule (1) upto the full amount due subject to the maximum of leave admissible to him at any one time. Such leave may commence from the commencement of the three months notice referred to



in sub-rule (2) or any time thereafter as may be determined by the appointing authority.

(5) If a Cantonment Servant in the absence of a written contract authorising him so to do, and without reasonable cause, resigns his employment or absents himself from his duty without giving one month's notice to the appointing authority, he shall be liable to forfeit such sum, not exceeding one month's wage cut of the wages due to him, as the appointing authority may by general or special order, direct.

(6) Effect shall not be given to orders of an appointing authority other than the Director under rule 8(1) (f) unless the proposal for the reduction of or revision of establishment has been approved by the Director. Such proposal shall not be accorded unless the appointing authority has fully explained the circumstances both financial and administrative which have led to such reduction or revision of establishment and the decision of the appointing authority not to create any post in lieu thereof even on reduced rates of pay or under a changed designation within a period of three years the date of such contemplated reduction or revision, shall accompany such a proposal.

### **APPOINTMENT OF TEMPORARY SERVANTS**

9. When in the opinion of the Executive Officer the employment of temporary cantonment servants is necessary, he shall appoint such temporary servants on such conditions as may be considered necessary with the sanction of the President.

Provided that—

(a) the Executive Officer in the exercise of this power shall not act in contravention of an order of the Board prohibiting the employment of temporary servants for any particular work, and shall report in writing every appointment under this rule for the approval of the Board at the next meeting following the appointment;

(b) all such appointments shall, after the approval of the board has been obtained thereto, be reported by the

President, to the Director for confirmation and the report shall be accompanied by a full explanation of the conditions under which the appointments were made, and

(c) if the approval of the Board or the confirmation of the Director is withheld in the case of any such appointment, the appointment shall be terminated forthwith.

#### **DIRECTOR MAY REQUIRE BOARDS TO REDUCE NUMBER AND PAY OF SERVANTS**

10. If in the opinion of the Director the number of servants employed or proposed to be employed by a Board or the pay and allowances assigned by the Board to any such servants are excessive, it may require the Board to reduce the number of such servants or the amount of their pay and allowances, as the case may be, within such time as it may fix, and the Board shall, subject to the Provisions of sub-rule (1) of rule 8 and of any lawful contract between the servant and the Board, comply with such requisition.

Provided that reasonable opportunity shall be given to the Board to show cause in writing why such reduction should not be made.

#### **CONDUCT RULES**

11. No Cantonment Servant shall accept directly or indirectly on his own behalf or on behalf of any other person or permit any member of his family or relative to accept any gift or gratuity or reward or any offer of any gift, grantuity or reward from any person for any thing done by the Cantonment servant as such, from any person upon whom the Cantonment Servant is in a position to confer any benefit in the discharge of his official duties.

Provided that a medical officer may accept any gift, gratuity, reward or fee offered in good faith by any person body of persons in recognition of his professional service.

12. A Cantonment Servant shall not, except with the previous sanction of the appointing authority, receive any complimentary or valedictory address, accept any testimonial presented to him or attend any public meeting or entertainment held in his honour in his official capacity as a Cantonment Servant.

Provided that a Cantonment Servant may attend farewell entertainment of a private and informal character given as a mark of regard for himself or some other servant of the Board on the occasion of his retirement from service.

13. No Cantonment Servant shall take part in the presentation of a complimentary or valedictory address or testimonial to any Officer or Servant of the Board or to any person who has recently quitted the service of the Board or attend a public meeting or entertainment held in honour of such officer or servant, if such presentation, meeting or entertainment is held in contravention of the provisions of rule 12.

14. A Cantonment Servant shall not enter into any pecuniary arrangement with another servant for the resignation by one of them of any office under the Board for the benefit of the other. In case of a breach of this rule any appointment consequent upon such resignation, shall be cancelled and the Board may take such disciplinary action as it may deem necessary against the parties to the arrangements who are still in service.

15. A Cantonment Servant shall not lend money to any person who has official dealings with him nor shall he, except in ordinary course of business with a Joint-Stock Company, Bank or Firm of a standing, borrow money from or otherwise place himself in pecuniary obligation to any person subject to his official authority.

16. A Cantonment Servant shall not speculate.

17. A Cantonment Servant whether on duty or on leave shall not take part directly or indirectly in the promotion, resignation or management of any Bank or Other company or insurance or provident fund.

18. It shall be competent to a Cantonment Servant to take up occasional work of a literary or artistic character, provided that his public duties do not suffer thereby, but the appointing authority may, in its discretion, without assigning any reason, forbid him from undertaking or require him to abandon, any such employment which, in the opinion of the appointing authority, is undesirable.

**EXPLANATION**—Secretaryship of a club or Association does not constitute employment in the sense of this rule, provided that it does not occupy so much time of such Cantonment Servants as to interfere with his official duties and that it is an honorary office, that is to say, that it is not remunerated by any payment in cash or an equivalent thereof, except with the previous sanction of the Director.

19. A Cantonment Servant shall not become the proprietor in whole or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.

20. A Cantonment Servant shall not publish in his own name any statement of fact or any opinion of his which may embarrass the relations between the Board and any local authority or any section of the public;

Provided that it shall be competent for the Executive Officer for the purpose of removing misapprehensions, or correcting mis-statements or defending and explaining the policy, of the Board to publish a statement in the press.

21. A Cantonment Servant shall not canvass or otherwise interfere with or use of his influence in connection with or take part in any election of a legislative body, provided that such Servant if qualified to veto at such election, may exercise his right to veto but if he does so, he shall give no indication of the manner in which he proposed to veto, or has vetoed.

22. A Cantonment Servant shall not issue an address to electors, or be a party to such an address in connection with an election to any legislative body or in

any other manner publically identify himself with any electioneering campaign on behalf of any candidate or prospective candidate.

The Provisions of this rule shall also apply in the case of elections to the Cantonment Board and its Committees, or other local bodies.

23. Every Cantonment Servant (except Class IV servants) shall make on confirmation or appointment under a covenant or agreement in a permanent or tenure post, to the executive officer a declaration of all immovale property, which is held by him or his wife, or any other member of his family living with him or in any way dependant on him, and shall annually on or before the 1st April notify of any change, that has occurred in such declarations. Decalarations from persons already in service shall also be obtained.

24. No Cantonment Servant shall engage in any trade or undertake any employment other than his public duties, except with the previous sanction of Director.

25. No Cantonment Servant shall communicate directly or indirectly to any person or to the press, any document or information, which has come into his possession in the course of his duties or has been prepared or collected by him in the course of these duties, whether from official source or other wise excepting as may be required and necessary in the ordinary course of his duties.

26. When a Cantonment Servant is adjudged or declared insolvent or when the moiety of salary of such a servant is constantly being attached or has been cotinuously under attachment for a period exceeding two years, or is attached for a sum, which, in ordinary circumstances, cannot be repaid within a period of two years, he shall be liable ot dismissal.

27. No Cantonment Servant shall be allowed to institute proceedings in any court of law against any follow Servants, in respect of any act or incident amounting to effence which is non-cognizable by the

police and compoundable that may occur on the Cantonment Board previous, without obtaining the previous sanction of the Executive Officer.

28. A Cantonment Servant who indulges in nepotism, favouritism victimization and wilful abuse of office will be liable to disciplinary action which may include dismissal.

29. Cantonment Servants are prohibited from the propagation of sectarian creed or taking part in sectarian controversies or indulging in sectarian partiality and favouritism. Any breach of the use of their official position to influence the religious beliefs of their associates, subordinates or outsiders may render them liable to dismissal.

30. Any Cantonment Servant contravening of any of the rules 11 to 29 shall be deemed to be guilty of neglect of duty or misconduct or breach of discipline or departmental rules and shall be liable to the punishments laid down in these rules.

### **PROMOTION, ANNUAL CONFIDENTIAL REPORTS AND ANNUAL INCREMENTS**

31. Proposals relating to promotion, payment of allowances, increment to or revision of the grade of or change of designation of a Cantonment Servant shall not be brought for consideration before the Board except at the instance of the Executive officer.

32. (1) Promotion shall be made with the utmost fairness to the Cantonment Servants with due regard to the interests of the Public Service and close and continuous attention to the work, character and capacity of all Cantonment Servants.

(2) The Annual Confidential Reports shall be in the form prescribed by the Director, initiated by the Executive Officer and shall be seen by the President. The initiating authority in any case of hospitals, dispensaries and schools may be a person other than the Executive Officer as the Director may direct. (Report on class IV servants need not be initiated).



**NCTE**—The report shall be written up in a concise and descriptive manner indicating clearly and with sufficient completeness, the manner in which a Cantonment Servant has performed his duties during the year, his qualifications, the ability displayed by him, and other information regarding his work likely to be of help to the authority which has to form an opinion regarding the usefulness and capacity of the servant for the purpose of promotion. In particular, each report shall contain a definite expression of opinion as to whether or not, the servant is considered to fit for advancement to the next higher post.

(3) Where the report is adverse or indifferents, the servant concerned shall be informed.

(4) These reports shall be confidential and shall be kept in the personal custody of the Executive Officer.

33. Departmental examinations may be held for any category of Cantonment servants as the Director may, by general or special order, direct and the Director may, in like manner, prescribe the syllabus and mode of conduction such Examinations.

34. All Servants holding clerical posts shall be required to pass the Departmental Examination within two years from the date of their appointment and a Departmental Examination shall be held for the purpose.

35. (1) Persons already in service shall be required to pass the Departmental Examination within three years from the date of the commencement of those rules, provided that Cantonment Servants already in employ as such for ten years or more shall be exempt from his obligation.

(2) Those who fail to pass the examination within the prescribed period shall not be retained in service except with the sanction of the Director.

36. The Departmental Examination for clerical posts will consist of five papers as hereunder and will be held under such directions as may be issued by the Director from time to time.

Paper I The Cantonments Act, 1924.

Paper II } Rules made under the Cantonments Act,  
Paper III } 1924.

Paper IV Typewriting Test.

Paper V Precis writing and Drafting and Record-keeping.

37. In order to pass a candidate must obtain at least 40 percent marks in each paper. Candidates obtaining more than 75 percent mark shall be considered to have passed with credit.

38. (1) The Departmental Examination shall ordinarily be held in the month of January in every year.

(2) Candidates who fail in any paper in any examination shall be required to pass only in that paper in a subsequent examination.

39. The Director may prescribe conditions for the grant of accelerated promotion or advance increments to Cantonment Servants who improve their professional knowledge by passing examination of recognised institutes.

#### **GRANT OF REWARDS AND HONORARIA**

40. The Director may, at the instance of the Executive Officer, sanction the grant of an honorarium from the Cantonment Fund to a Cantonment Servant for performing within or outside the cause of his ordinary duties, work of to justify the grant an honorarium.

Explanation—"Honorarium" for the purpose of this rule means a non-recurring payment granted as a reward for special work of an occasional character.

41. Rewards may be given on the recommendations of the Executive Officer to Cantonment Servants for display of conspicuous energy, intelligence or pluck in detection of fraud or evasion of payment of taxes or other service worthy of recognition by the Bear subject to the concurrence of the Director.



## **SECURITIES TO BE FURNISHED BY CERTAIN CANTONMENT SERVANTS**

42. (1) The Executive Officer shall require every Cantonment Servant who is entrusted with the receipt, custody or control of property or monies or securities, to furnish security for the due discharge of his duties of a value equivalent to the aggregate value of the maximum amount of property, monies or securities which the cantonment servant concerned is ordinarily to have in his hands at any one time.

(2) No security shall be accepted otherwise than by a deposit of;—

- (a) Cash,
- (b) Government securities;
- (c) Shares in the Bangladesh Bank or any other Bank approved by the Government in this behalf;
- (d) Debentures or other securities for money issued by or on behalf of a local authority; or
- (e) A fidelity insurance policy approved by the Board and issued by an insurance company approved by the Government.

**EXPLANATION—** For the purpose of clause (a) "Cash" shall be deemed to include a Savings Bank deposit if pledged to the Executive Officer.

(3) The securities, shares and debentures referred to in clauses (b), (c) and (d) of sub-rule (2) shall be valued at their market value at the time of the deposit.

(4) The premium for the policy referred to in clause (e) of sub-rule (2) shall be paid by the Board and the amount thereof shall be deducted from the pay of the Cantonment Servant.

(5) Every such Cantonment Servant shall execute a bond in the prescribed form included in the Second Schedule.

(6) The Executive Officer shall on or about the first day of January in each year submit to the Board a report as to the sufficiency of the securities furnished by or on behalf of its servants.

(7) The Executive Officer shall deal in the manner prescribed in the Government securities Manual with all monies and securities deposited as security by or on behalf of Cantonment Servants.

(8) Any Cantonment Servant failing to furnish the security require by these rules for more than one month after he has been called upon to be so shall be liable to forfeit his appointment.

(9) Security deposited shall not be claimable untill the lapse of six months from the date on which the deposited ceases to be the servant of the Board.

### **RECORD OF SERVICE**

43. (1) A Service Book shall be kept for every Cantonment Servant in the form and manner prescribed in the supplementary Rules.

(2) The service Book shall be kept in safe custody and may be given to the servant, if he resigns or is discharged without fault, an entry being first made therein to this effect.

(3) Full details of the Service, pay, leave, periods of suspension from employment or other interruptions in service with references to any records, specially to any good or bad service shall as occasion arises, be entered in the Service Book and attested by the Executive Officer.

(4) The Executive Officer shall see that all entries in the Service Book are duly made and attested by him. There shall be no erasure or over-writing, all corrections being neatly made and properly attested.

(5) It shall be the duty of every servant to see that his Service Book is correctly kept and that the entries on first page are attested every five years.

(6) On the occasion of transfer of a Cantonment Servant from one Cantonment to another, his service for the period he remained in the Cantonment from which he is transferred shall be verified and an entry to this effect recorded in the Service Book, before it is sent to the Cantonment to which he has been transferred.

### **TERMINATION OF SERVICE**

44. (1) No servant shall be retained in the service of a Board after he attains the age of sixty years except with the sanction of the Director.

(2) In the case of a servant whose year, or year and month, of birth is known, but not the exact date, the 1st July, or 16th of the month, respectively, shall be deemed to be the date of birth for the purpose of determining the date on which he attains the age of sixty years, for the purpose of this rule.

### **GRANT OF CASUAL LEAVE**

45. A Cantonment shall not be entitled to casual leave as a matter of right and such leave may only be granted to such servant for adequate reasons at the discretion of the Executive Officer, subject to the conditions laid down Government for servants of similar status.

### **TRAVELLING ALLOWANCE**

46. For the purpose of drawing travelling allowance, Cantonment Servants shall be Government by the Fundamental rules and the Supplementary Rules applicable to the servant of Government.

### **COURSES OF TRAINING**

47. The rules regarding travelling and daily allowances applicable to employees of the corresponding class of the Central Government shall apply to Cantonment Servants who are deputed by the competent authority to undergo a course of training.

### **GRATUITY OR COMPASSIONATE ALLOWANCE IN CASE OF SERVANT INJURED OR KILLED IN EXECUTION OF DUTY**

48. Notwithstanding anything contained in these rules or the Bangladesh Cantonment Servants (Contributory Provident Fund) Rules, 1954, the Board

may, with the previous sanction of the Director, grant a special gratuity or compassionate allowance:—

(a) any Cantonment Servant injured in the execution of his duty; or

(b) to the family or dependents of such servants who is killed in the execution of his duty or whose death is due to devotion of duty or who dies during service;

Provided that the special gratuity or compassionate allowance paid shall not exceed that payable to a person in the service of Government under similar circumstances.

### **PENALTIES AND PUNISHMENTS**

49. (1) The following penalties may, for good and sufficient reasons as hereinafter provided, be imposed upon any Cantonment Servant by the appointing authorities :—

✓ (i) censure;

✓ (ii) withholding of increments or promotion, including stoppage at an efficiency bar;

✓ (iii) reduction to a lower post or time-scale or to a lower stage in a time scale;

(iv) recovery from pay of the whole or part of any pecuniary loss caused to the Cantonment Fund by negligence or breach of orders.

(v) Suspension;

(vi) removal from the service of the Board, which does not disqualify from future employment;

(vii) dismissal from the service of the Board, which ordinarily disqualifies from future employment.

**EXPLANATION 1**— The penalty of removal may be inflicted upon a Cantonment Servant either for misconduct not sufficiently grave to justify dismissal or on account of general unfitness for the duties of his office.

**EXPLANATION 2**— The discharge—

(a) of a person appointed on probation, during the period of probation; or

(b) of a person appointed otherwise than under contract to hold a temporary appointment, on the expiration of the period of the appointment; or

(c) of a person engaged under contract, in accordance with the terms of his contract;

does not amount to removal or dismissal within the meaning of this rule;

(viii) compulsory retirement, where a servant, in the opinion of the appointing authority,

(a) has ceased to be efficient, whether by reason of infirmity of mind or body, or otherwise, and is not likely to recover his efficiency; or

(b) is guilty of misconduct; or

(c) is corrupt, or may reasonably be considered corrupt because-

(i) he is, or any of his dependents or any other person (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income, or

(ii) he has assumed a style of living beyond his estensible means; or

(d) is engaged, or is reasonably suspected of being engaged, in subversive activities, or who is reasonably suspected of being associated with, others engaged in subversive activities, and whose retention in service is therefore considered prejudicial to national security.

**EXPLANATION 1**—where it is proposed to proceed, against a servant on the ground of inefficiency by reason of infirmity of mind or body, the appointing authority may, at any stage, require him to undergo a medical examination by a Medical Officer or a Medical Board, as the authority may direct, and the report of the Medical Officer or the Medical Board shall be final.

**EXPLANATION 2**— If a servant refuses to undergo such medical examination, his refusal may, subject to consideration of any grounds he may give in support of it, be taken into consideration against him a showing that he had reason to believe that the result of the examination would prove unfavourable to him.

(10) Notwithstanding anything contained in sub-rule (1), the Director or the Deputy Director, Military Lands and Cantonments, may during the course of a visit to or



inspection of a Cantonment, direct the suspension of any Cantonment Servant for good and sufficient reasons to be recorded by him; and all such direction shall be immediately complied with by the Executive Officer.

(2) No Cantonment Servant shall be reduced to a lower post or time-scale or to a lower stage in a time-scale, discharged, dismissed, removed or retired compulsorily from the service of the Board by an authority subordinate to that by which he could have been appointed to the post which he holds at the time of the passing of the order.

(3) No Cantonment Servant shall be removed or dismissed otherwise than on proof of dishonesty or of repeated neglect or disobedience of orders, or of continued inefficiency or of insolvency or habitual indebtedness or of any other circumstance by reason of which the appointing authority is of opinion that his retention in service would be detrimental to the efficient administration of the Cantonment.

50 (1) No order of discharge, dismissal, removal, compulsory retirement or reduction (other than an order based on facts which have led to his conviction in a criminal court) shall be passed against a Cantonment Servant unless he has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of being heard and defending himself. The grounds on which it is proposed to take action shall be precisely stated in the form of charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstance which it is proposed to take into consideration in passing orders on the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires and if the authority concerned so directs, an oral inquiry shall be held by such officer as the appointing authority may appoint for this purpose. At that inquiry relevant oral

evidence shall be taken with regard to such of the allegations as are not admitted, and the person charged shall be entitled to cross examine the witnesses, to give evidence in person and to have such witnesses called on this behalf as he may wish to exceed provided that the officer conducting the inquiry may, for special and sufficient reasons to be recorded in writing, refuse to call a witness, whose evidence is not necessary for securing justice to the person charged.

The proceedings shall contain a sufficient record of the evidence taken and a statement of the findings and the grounds thereof;

Provided that —

(a) this sub-rule shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him; and

(b) when it is impracticable to carry out all or any of the provisions of this sub-rule, reasons for not carrying out the provisions shall be recorded in writing, and every effort shall be made to ensure that no injustice is caused to the person charged.

(2) No Cantonment Servant, who is called upon to answer a charge in an inquiry against him, shall be allowed to engage an advocate except when the charge is likely to result in the dismissal of the Cantonment Servant.

Provided that if in any inquiry an advocate is engaged on behalf of the Board, the person against whom the inquiry is made shall also be entitled to engage an advocate.

(3) When an enquiry against a Cantonment Servant is completed and it is proposed as a result thereof to remove or dismiss the Cantonment Servant, he shall be supplied with a copy of the report of the inquiring authority and be called upon to show cause, within a reasonable time not exceeding one month, against the particular penalty proposed to be inflicted. Any cause shown in any representation submitted by the accused in this behalf shall be taken into consideration before any final orders are passed.

A copy of the final orders, together with the grounds thereof under the signature of the Executive Officer shall be delivered to the servant personally or by registered post. In the event of an appeal against the final orders, the whole proceedings together with the Service Book shall be forwarded along with the memorandum of appeal.

(4) The Director may, by order, prescribe the procedure for conducting inquiries.

(5) Notwithstanding the provisions of sub-rule (1) of rule 49, the Executive Officer may, for special and sufficient reasons to be recorded in writing, suspend any Cantonment Servant pending the issue of a charge sheet. All such suspensions shall be reported forthwith to the President of the Board concerned, and to the Director.

51. (1) The Executive Officer may for good and sufficient reasons to be recorded in writing impose a fine to be deducted from the pay of any Cantonment Servant in receipt of pay not exceeding Taka 300.00. Such fine shall not, in any one month, exceed one week's Pay of the servant so fined.

(2) The Executive Officer may for good and sufficient reasons to be recorded in writing for any breach of discipline or departmental ruled or for carelessness, incompetence, neglect of duty or other cause, order the stoppage of one increment for one year or a reduction in pay not exceeding Taka 10.00 a period not exceeding one year, and no appeal shall lie from any such order. All such punishments shall be reported by the Executive Officer to the Director.

52. Any Cantonment Servant, other than a Class IV Servant, who has been discharged, dismissed, removed, retired or reduced, shall be entitled to appeal to the Director within 30 days from the date of delivery of the order of his discharged dismissal, removal, retirement or reduction.

53. (1) When a class IV servant is reduced, removed or dismissed, a copy of the order showing the grounds,



on which his reduction, removal or dismissal was ordered shall be delivered to him personally or by registered post, and he shall be entitled to appeal within thirty days from the date of delivery of the order to the Deputy Director, Military Lands and Cantonments, or such other authority as the Director may appoint in this behalf.

(2) A class IV Servant aggrieved by an order, under sub-rule (1) may, within 30 days of the order, appeal to the Director whose decision shall be final.

### **RIGHT OF REVISION**

54. (1) The Central Government may revise any order passed against any Cantonment Servant, other than a class IV Servant, by the Director, Military Lands and Cantonments, Govt. of the people's Republic of Bangladesh. Ministry of Defence, on an application made by the servant within thirty days of the date of delivery of the order on the servant.

(2) The application for revision to the Central Government shall be submitted through the Executive Officer, the President, the Board, as the case may be, and the appellate authority.

### **PROCEDURE OF APPEALS**

55. An authority from whose order an appeal is preferred under these rules shall forthwith give effect to any order made by the appellate authority.

56. Every person preferring an appeal shall do so separately and in his own name.

57. Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language, and shall be submitted through the Executive Officer and through the authority from whose order the appeal is preferred.

58. An appeal may be withheld by an authority not lower than the authority from whose order it is preferred, if —

(1) it is an appeal in a case in which under these rules no appeal lies; or

(2) it does not comply with the provisions of rule 57; or

(3) it is not preferred within 30 days after the date on which the appellate was informed of the order appealed against; or

(4) it is a repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided; or

(5) it is addressed to an authority to which no appeal lies under these rules.

Provided that in every case in which an appeal is withheld the appellant shall be informed of the fact and the reasons for it.

Provided also that an appeal withheld on account only of a failure to comply with the provisions of rule 57 may be re-submitted within one month of the date on which the appellant is informed of the withholding of the appeal, and, if re-submitted in a form which complies with these provisions shall not be withheld.

59. An appellate authority may call for any appeal admissible under these rules which has been withheld by a subordinate authority and may pass such orders there on as it considers fit.

60. Nothing in these rules shall operate to deprive any person of any right of appeal which he would have had if these rules had not been made, in respect of any order passed before they came into force. An appeal pending at the time when, or preferred after, these rules come into force shall be deemed to be an appeal under these rules.

60A. Notwithstanding anything certain in these rules, if the Director has reason to believe that any order passed under these rules against which there can be no appeal is detrimental to the interest of administration or is likely to result in injustice to any Cantonment Servant the Director may, of his own motion vary, modify or annul such order.

### **SERVICE NON-PENSIONABLE**

61. Service under these rules shall be non-pensionable. Members of the Service shall be entitled to the benefit of Contributory Provident Fund, in accordance with the Bangladesh Cantonment Servants (Contributory Provident Fund) Rules, 1954;

Provided that the Director may make any post or posts pensionable, make suitable rules therefor and extend these rules to any or all Cantonments.

### **MEDICAL FACILITIES**

62. Every Board shall provide the necessary Medical facilities for its Servants and their families in the hospital or dispensary maintained by it on the scales and conditions applicable to Servants of Government of corresponding status.

Where there is no hospital or dispensary, reasonable arrangements shall be made by the Board as its funds permit.

### **ACCOMMODATION**

63. Every Board shall make reasonable arrangements for accommodating the transferable category of servants so far as the funds at its disposal permit such terms and conditions as the Director may impose from time to time.

### **BENEVOLENT FUND**

63. A. Every Board shall constitute a fund to be known as the Benevolent Fund which shall be subscribed to by all the servants of the Board at such rate as the Government may determine and it shall be regulated in accordance with such directions as the director may issue in this behalf.

### **DELEGATION OF POWER**

63. B. Notwithstanding anything contained elsewhere in these rules, the Board and the Executive Officer, with the prior approval of the Director may, by order in writing, delegate to any officer or authority subordinate to them all or any of their powers and functions under these rules subject to such conditions, if any as may be specified in the order.

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