

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF ESTABLISHMENT

Regulation Branch

Section V

NOTIFICATION

Dhaka, the 20th August, 1985

No. S. R. O. 381-L/85/ME(R-V)ID-13/84.—In pursuance of the Proclamation of the 24th March, 1982 and in exercise of all powers enabling him in that behalf, the President, after consultation with the Bangladesh Public Service Commission, is pleased to make the following rules, namely:—

PART I

GENERAL

1. Short title, commencement and application.—(1) These rules may be called the Government Servants (Discipline and Appeal) Rules, 1985.
- (2) Subject to sub-rule (3), they shall come into force at once.
- (3) Rule 15 shall be deemed to have come into force on the 1st January, 1985.
- (4) They shall apply to all Government servants, except—
 - (a) persons to whom the Railway Establishment Code applies;
 - (b) subordinate officers of a Metropolitan Police;
 - (c) members of any other police-force below the rank of Inspector of Police;

- (d) subordinate officers, Riflemen and Signalmen of the Bangladesh Rifles;
- (e) subordinate Jail officers below the rank of Jailor of Bangladesh Jails;
- (f) members of such services and holders of such posts as may be specified by the Government by notification in the official Gazette;
- (g) persons in respect of whose conditions of service, pay, allowances, pensions, discipline and conduct, or any one of them, special provisions have been made by any contract.

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

- (a) “accused” means a Government servant against whom any action is taken under these rules;
- (b) “authority” means the appointing authority or, an officer designated by it to exercise, subject to such general or specific guideline as may be issued by the Government from time to time, the powers of the authority under these rules and shall include a superior officer, if any, of the appointing authority in the chain of command;
- (c) “Commission” means the Bangladesh Public Service Commission;
- (d) “desertion” means quitting of service without permission or remaining absent from duty for a period of sixty days or more or remaining absent from duty in continuation of absence from duty with permission for a period of sixty days or more without further permission or leaving the country without permission and remaining abroad for thirty days or more or overstaying abroad after leaving the country with permission, for sixty days or more without further permission;
- (e) “Government servant” means a person in the service of the Republic and includes any such person on foreign service or whose services are temporarily placed at the disposal of a local authority or other authority or of a foreign Government or agency;
- (f) “misconduct” means conduct prejudicial to good order or service discipline or contrary to any provision of the Government Servants (Conduct) Rules, 1979, or unbecoming of an officer or gentleman and includes—
 - (i) disobedience to lawful orders of superior officers,
 - (ii) gross negligence of duty,
 - (iii) flouting of Government orders, circulars and directives without any lawful cause, and
 - (iv) submission of petitions before any authority containing wild, vexatious, false or frivolous accusation against a Government servant; and
- (g) “penalty” means a penalty which may be imposed under these rules.

PART II DISCIPLINE

3. **Grounds for penalty.**—Where a Government servant, in the opinion of the authority,—

- (a) is inefficient, or has ceased to be efficient, whether by reason of—
 - (i) infirmity of mind or body, or

