

Rules of Business 1996

(Revised up to December 2014)



RULES OF BUSINESS 1996

(Revised up to December 2014)

Cabinet Division

Government of the People's Republic of Bangladesh

Presented by
Md. Zahirul Islam

National Social Services Academy

*Mob: 01712002438 * e-mail: zahirulislam@dss.gov.bd

Legal origin

- The Rules of Business originated directly from the constitution of the People's Republic of Bangladesh.
- Article 55(6) of the constitution: "*The president shall make rules for allocation and transaction of the business of the Government*"
- Link :

http://bdlaws.minlaw.gov.bd/bangla_print_sections.php?id=957&vol=§ions_id=30029

গণপ্রজাতন্ত্রী বাংলাদেশের সংবিধান

চতুর্থ ভাগ নির্বাহী বিভাগ ২য় পরিচ্ছেদ প্রধানমন্ত্রী ও মন্ত্রিসভা

৫৫। (১) প্রধানমন্ত্রীর নেতৃত্বে বাংলাদেশের একটি মন্ত্রিসভা থাকিবে এবং প্রধানমন্ত্রী ও সময়ে সময়ে তিনি যেরূপ স্থির করিবেন, সেইরূপ অন্যান্য মন্ত্রী লইয়া এই মন্ত্রিসভা গঠিত হইবে।

(২) প্রধানমন্ত্রী কর্তৃক বা তাঁহার কর্তৃত্বে এই সংবিধান-অনুযায়ী প্রজাতন্ত্রের নির্বাহী ক্ষমতা প্রযুক্ত হইবে।

(৩) মন্ত্রিসভা যৌথভাবে সংসদের নিকট দায়ী থাকিবেন।

(৪) সরকারের সকল নির্বাহী ব্যবস্থা রাষ্ট্রপতির নামে গৃহীত হইয়াছে বলিয়া প্রকাশ করা হইবে।

(৫) রাষ্ট্রপতির নামে প্রণীত আদেশসমূহ ও অন্যান্য চুক্তিপত্র কিরূপে সত্যায়িত বা প্রমাণীকৃত হইবে, রাষ্ট্রপতি তাহা বিধিসমূহ-দ্বারা নির্ধারণ করিবেন এবং অনুরূপভাবে সত্যায়িত বা প্রমাণীকৃত কোন আদেশ বা চুক্তিপত্র যথাযথভাবে প্রণীত বা সম্পাদিত হয় নাই বলিয়া তাহার বৈধতা সম্পর্কে কোন আদালতে প্রশ্ন উত্থাপন করা যাইবে না।

(৬) রাষ্ট্রপতি সরকারী কার্যাবলী বন্টন ও পরিচালনার জন্য বিধিসমূহ প্রণয়ন করিবেন।



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- Schedule I-VII



Definitions

- **Business:** all work done by the government
- **Case:** a particular matter under consideration and includes all papers relating to it and required to enable the matter to be disposed of. *viz* correspondence notes etc.



Definitions (cont...)

- **Attached Department:** the dept. which has direct relation with a Ministry/Division & has been declared as such by the government.
- **Subordinate Office:** an office of the govt. which has not been declared as Attached Department & normally does not deal directly with any Ministry/Division



Definitions (cont...)

- **Section:** a basic working unit in a Ministry/Division headed by a Asstt. Secretary/ Senior Asstt. Secretary
- **Branch:** sections grouped together headed by a DS.



Definitions

- **Wing:** a self contained subdivision of a Ministry/ Division for conducting specified duties of a distinct nature and headed by a JS or an Add Sec.
- **Division:** a self contained administrative unit responsible for the conduct of business of the government in a distinct and specified sphere and declared as such by the government.



Allocation of Business (Rule-3)

- The prime Minister may , whenever necessary, constitute a Ministry consisting of one or more divisions.
- Each Division shall have a Sec/Add Sec/Js & other officials
- The same person may be Sec. to more than one Division in same Ministry



Allocation of Business (cont...)

- The Prime Minister may assign a Ministry or Division or more than one Div or one Ministry to the charge of the Prime Minister, a Minister or a Minister of State.
- The business of the Govt. shall be distributed among the Ministries/Divisions in the manner as indicated in **Schedule 1** to these rules



Allocation of Business (cont...)

- The Secretary shall, by means of standing orders, distribute the works of the Div/Ministry among various sections
- The business of the Govt. other than the business done in the Secretariat or Attached Dept. shall be conducted through such agencies and officers as the Prime Minister may determine from time to time.



Allocation (cont...)

- The Prime Minister may appoint as many Advisers and Special Assistants as he may deem expedient in public interest.
- An Adviser or a Special Assistant may resign his office and the PM may, at any time, terminate the appointment



Transaction of Business (Rule 4)

- All business allocated to a Ministry /Division shall be disposed of by, or under the general or special directions of the Minister-in-charge.
- No important policy decision shall be taken except with the approval of the Cabinet.
- The Minister shall be responsible for conducting the business of the Ministry/ Division in the Parliament.



Transaction of Business (cont...)

- The Secretary shall be the Administrative Head of the Ministry/Division
- He shall be responsible for careful observance of these rules.
- The secretary shall keep the Minister - in-charge informed of the working of the ministry

Transaction of Business (cont...)



- The Secretary shall be the principal accounting officer of the Ministry/Division.
- He shall ensure that funds allocated to the Ministry/Division, Attached Dept., Subordinate offices are spent in accordance with rules/laws

Transaction of Business (cont...)



- Secretariat Instructions and other instructions on the manner of disposal of business in the Ministries/Divisions shall be issued by the ministry of Public Administration
- If any doubt arises as to the Ministry to which a particular business pertains, the matter shall be referred to Cabinet Division for decision

The role of the Ministries / Divisions



(ix) The role of the Ministries/Divisions shall be limited to ;

(a) policy formulation ;

(b) planning ;

(c) evaluation of execution of plans ;

(d) legislative measures ;

(e) assisting the Minister in the discharge of his responsibilities to the Parliament ;

The role of the Ministries / Divisions

Cont....



- (f) personnel management at the top level, *viz*, (i) officers not below the rank of Member/Director in the cases of public statutory corporations and
- (ii) officers not below the level of NPS-V in the cases of Attached Departments and Subordinate Offices ;
- (g) such other matter/matters as may be determined by the Prime Minister from time to time.
- (x) Unless otherwise directed, all correspondence with the Government by the Corporations shall normally be conducted with the Secretaries of the respective Ministries/Divisions, and all correspondence by the Government with the Chief Executives of the respective Corporations.**

Transaction of Business

(cont...)



- All correspondence with the Govt. by the corporation shall normally be conducted with the Secretaries and all correspondence by the Govt. with the Chief Executive of the Corporations



Orders, Instruments, Agreements & Contacts (Rule 5)

- All executive actions of the Govt. shall be expressed to be taken in the name of the president. (schedule II) *Article 55(4) of Bangladesh Constitution.*
- The Ministry of foreign Affairs shall issue necessary instructions regarding the manner of authentication of international agreements & treaties.



Reference to the President & the Prime Minister (Rule 6-9)

- President: Schedule III & VI
- Prime Minister & President: Schedule IV
- Prime Minister: V & VII
- Manners of submission: shall include a self contained, concise & objective summary stating the relevant facts and points for decision.
- It should include the specific recommendations of the Minister in charge.



Inter Ministerial Consultation (Rule 10-15)

- Consultation with Cabinet Division
- Consultation with MOPA
- Consultation with Finance Division
- Consultation with Law and Justice & Legislative and Parliamentary Affairs Division
- Consultation with Ministry of Foreign Affairs



Consultation with Cabinet Division

- No ministry shall without previous consultation with the Cabinet Division issue any order which involves -
- interpretation of these rules
- reorganization of a Ministry/Division involving any change in the allocation of business
- remuneration & privileges of the President, Prime Minister, Ministers.



Consultation with MOPA

- Creation or abolition of post
- Organization of a working unit in a Ministry otherwise than as a section
- Creation & reorganization of an Attached Dept.
- Transfer of personnel of dev. project to Revenue setup after the completion of the project.



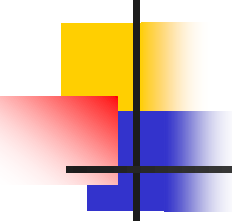
Consultation with Finance Division

- Relinquishment, remission or assignment of revenue.
- expenditure for which no provision exists in the budget.
- re-appropriation between major heads within budget grants
- change in the terms & conditions of Gov. servant which have financial implication



Consultation with Law & Justice Division

- on all legal questions arising out of any case
- On the interpretation of any law.
- Before tendering advice on a mercy petition against an order of death sentence.
- Whenever criminal or civil proceedings are instituted against the govt.



Consultation with Law & Justice Division (cont...)

- No Ministry shall consult the Attorney-General except through Law and Justice Division.
- If there is disagreement between the Attorney-General and the Division, the case shall be submitted to the Minister.



Consultation with the Legislative and Parliamentary Affairs Division

- On all proposals for legislation
- On all legal questions arising out of any legislative proposal
- Preparation of imp. contracts, international agreements, conventions etc...
- Before the issue of a rule, regulation or by-law etc



Consultation with Ministry of Foreign Affairs.

- No Ministry shall without previous consultation with Ministry of Foreign Affairs dispose a case which affects the foreign relation of Bangladesh.



Cases to be brought before Cabinet

- Cases involving legislation, including the promulgation of Ordinance
- Cases relating to commencement or cessation of a state of war and related matters
- Proposals to appoint public commissions of inquiry of national importance and consideration of the reports of such commission



Cases to be brought before Cabinet (cont...)

- Cases in which a Minister desires a decision or direction of the Cabinet .
- Address and Messages of the president to parliament
- Cases relating to proclamation or revocation of emergency



Cases to be brought before Cabinet (cont...)

- Proposals relating to
 - Creation of new corporation or companies wholly owned by the government
 - Winding up and amalgamation of public sector undertakings
 - Cases in which a difference of opinion arises between two or more ministries
 - Cases involving vital political, economic & administrative policies



Cases to be brought before Cabinet (cont...)

- The budget, before the presentation of the annual financial statement
- Cases involving negotiations with foreign countries on treaties and agreements, opening and closing of Bangladesh mission abroad.
- Any case which the prime Minister require to be brought before cabinet
- Any other cases which the president may request the prime minister to refer to the Cabinet



Miscellaneous provision (Rule 28-33)

- Protection & communication of official information:
 - No information from official documents shall be communicated by a Govt. servant to the press, to non-officials, to officials belonging to other govt. offices unless he has been empowered to do so.
 - Ordinarily all official news information shall be conveyed to the press through information Ministry or any office subordinate to it.
 - Ministers shall act as official spokesmen in respect of their Ministries.



Miscellaneous provision

- Secretaries and such other officers, as may be authorized by the Govt., may act as official spokesmen.
- No statement involving foreign policy shall normally be made by a person, other than the PM and the Foreign Minister, without prior consultation with the Ministry of Foreign Affairs.



Channels of communication with foreign government (Rule -29)

- All correspondence made by a Ministry/Division/Attached Dept. with the govt. of a foreign country/foreign mission/international org. shall normally be conducted by MoFA.
- All requests to a foreign government or an international organization for economic or technical assistance shall be made through ERD or Finance Division except in matters related to the utilization of agreed foreign assistance.



Correspondence with Defence Headquarters (Rule 30 - 31)

- All correspondence with the Headquarters of Defence shall normally be conducted through the Ministry of Defense/Armed Forces Division.
- Correspondence from the Defence Headquarters with other Ministry /Division shall be made through the Ministry of Defence/Armed Forces Division



Prepublication of draft rule and regulations (Rule 31A)

- Where the govt. decides to pre-publish draft proposal for making or amending any rule or regulation, such rule & regulation should be published in the official Gazette as well as in the Website.
- Three weeks time for seeking public opinion.



General (rule 32)

- The secretary of the Ministry/Division shall be responsible for careful observance of these rules.
- For interpretation of these Rules, it should be referred to Cabinet Division
- No officer below the rank of JS shall approach a Minister in connection with official business.



General (cont...)

- Whenever the Head of an Attached Dept, Autonomous Body or Corporation or any officer holds oral discussion with Minister, shall communicate the points to the Secretary at the first possible opportunity.



Departure from Rules (Rule - 33)

- The prime minister may, in case or classes of cases, permit or condone a departure from these Rules to the extent he deems necessary



Schedules (cont...)

- Schedule V – List of cases to be submitted to the Prime Minister
- Schedule VI - Periodical Reports and other papers which shall be laid before the President for information
- Schedule VII - Periodical Reports and other papers which shall be laid before the Prime Minister



Schedule IV: List of cases to be submitted to the Prime Minister and the President

- Cabinet division:
 - Appointment, resignation and determination of conditions of services of the CEC and other ECs
 - Removal of the CEC and ECs
 - Making available to the Election Commission on its request, such staff as may be necessary.



List of cases to be submitted to the Prime Minister and the President

Ministry of Public Administration:

- Appointment & resignation of Chairman and Member of PSC
- Removal of Chairman and Members of PSC
- Cases of disposal, removal, compulsory retirement, reduction in rank of officers of whom the president is appointing authority



Where are you found :

Link of Cabinet Division

http://cabinet.portal.gov.bd/sites/default/files/files/cabinet.portal.gov.bd/legislative_information/d8e711a8_0744_47d4_a1fd_fce1dfb1a5d7/Rules%20of%20Business%20December-20140001.pdf

Allocation of Business :



ALLOCATION OF BUSINESS AMONG
THE DIFFERENT MINISTRIES AND DIVISIONS
(Schedule I of the Rules of Business, 1996)

(Revised up to December 2014)

CABINET DIVISION
GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

http://cabinet.portal.gov.bd/sites/default/files/files/cabinet.portal.gov.bd/legislative_information/13237291_40e2_4538_84ab_37ec65fe11ea/Allocation%20of%20Business%20R-20140001.pdf



Allocation of Business :MSW

Link : Ministry of Social Welfare

<http://www.msw.gov.bd/site/page/6f50bf2e-7032-4550-8bde-ce9d02d5ae6d/%E0%A6%8F%E0%A7%8D%E0%A6%AF%E0%A6%BE%E0%A6%B2%E0%A7%8B%E0%A6%95%E0%A7%87%E0%A6%B6%E0%A6%A8-%E0%A6%85%E0%A6%AC-%E0%A6%AC%E0%A6%BF%E0%A6%9C%E0%A6%A8%E0%A7%87%E0%A6%B8>

37.

Allocation of Business: Ministry of Social Welfare

১.	সমাজকল্যাণ সম্পর্কিত জাতীয় নীতি;
২.	সমাজের অনগ্রসর জনগোষ্ঠীর সামাজিক উন্নয়নে সুনির্দিষ্ট প্রচেষ্টা;
৩.	জাতীয় সমাজকল্যাণ পরিষদ;
৪.	শিশুকল্যাণ এবং সমাজকল্যাণ সংক্রান্ত বিষয়ে অপরাপর মন্ত্রণালয় ও বিভাগের সাথে সমন্বয়;
৪(ক)	বিধবা, স্বামী পরিত্যক্ত ও দুস্থ মহিলা ভাতা;
৫.	স্বৈচ্ছাসেবী সমাজকল্যাণ সংস্থাসমূহ (নিবন্ধন ও নিয়ন্ত্রণ) অধ্যাদেশ এবং শিশু আইন এর প্রশাসন;
৬.	সমাজসেবা অধিদপ্তর সম্পর্কিত বিষয়াদি;
৭.	স্বৈচ্ছাসেবী সমাজকল্যাণ সংস্থাসমূহকে অনুদান;
৮.	ভবমুরে আইন, ভবমুরে ও দৃষ্টি আশ্রয়কেন্দ্র এবং এতিমখানার প্রশাসন;
৯.	প্রতিবন্ধী ব্যক্তিদের শিক্ষা, প্রশিক্ষণ ও পুনর্বাসন;
১০.	ভিক্ষাবৃত্তি, ভবমুরে, কিশোর অপরাধী এবং আফটার কেয়ার কার্যক্রম;
১১.	প্ৰবেশন, প্যারোল এবং কারামুক্ত কয়েদীদের আফটার কেয়ার;
১২.	সমাজকল্যাণ সংক্রান্ত সকল ক্ষেত্রে আন্তর্জাতিক সংস্থাসমূহের সাথে যোগাযোগ ও চুক্তি;
১৩.	জাতিসংঘ আন্তর্জাতিক জরুরী শিশু তহবিল (ইউনিসেফ) এবং প্রতিবন্ধী ব্যক্তি ও সুবিধাবঞ্চিত জনগোষ্ঠীর কল্যাণ কার্যে সংশ্লিষ্ট অন্যান্য আন্তর্জাতিক সংস্থা/ বৈদেশিক সংস্থা সংক্রান্ত;
১৪.	আন্তর্জাতিক প্রতিষ্ঠানের সাথে সিয়াজৌ, এ মন্ত্রণালয়ের জন্য নির্ধারিত বিষয়ে সন্ধি এবং অন্যান্য দেশ ও আন্তর্জাতিক সংস্থার সাথে চুক্তি;
১৫.	এ মন্ত্রণালয়ের জন্য নির্ধারিত যে কোন বিষয়ে তদন্ত ও পরিসংখ্যান;
১৬.	এ মন্ত্রণালয়ের জন্য নির্ধারিত বিষয়ের সাথে সংশ্লিষ্ট সকল আইন;
১৭.	আদালতে গৃহীত ফিস ব্যতীত এ মন্ত্রণালয়ের জন্য নির্ধারিত যে কোন বিষয়ের সাথে সম্পর্কিত ফিস।

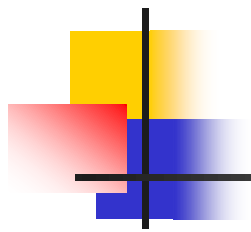
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[37.] MINISTRY OF SOCIAL WELFARE

1. National policy regarding social welfare.
2. Community development with particular emphasis on disadvantage segment of the society.
3. National Council of the Social Welfare.
4. Child welfare and co-ordination of activities of other Ministries, Division and Organisations in connection with social welfare.
- 7[4A. Allowances to the husband deserted destitute women and the widow.]
5. Administration of Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 No (Ordinance No. XL VI of 1961) and the Children Act, 1974 (Act No. XXXIX of 1974).
6. Matters relating to the Directorate Social Services.
7. Grants-in aid to voluntary social welfare agencies.
8. Administration of Vagrancy Act and the vagrant and destitute houses, poor houses and orphanages.
9. Education, Training and Rehabilitation of the handicapped.
10. Beggary, vagrancy, juvenile delinquency and other after-care programmes.
11. Probation, parole and after-care of released prisoners.
12. Dealing and agreements with international organisations in the field of social welfare.
13. United Nations International Children's Emergency Fund (UNICEF) and other concerned International bodies/foreign agencies dealing with welfare of the handicapped and under privileged.
14. Liaison with International Organisations and matters relating to treaties and agreements with other countries and world bodies relating to subjects allotted to this Ministry.
15. Inquiries and statistics on any of the subjects allotted to this Ministry.
16. All laws on subjects allotted to this Ministry.
17. Fees in respect of any of the subjects allotted to this Ministry except fees taken in courts.

¹Amended w/o: S.R.O.No.231-Law,2008-CD-4-5-2008-Butes, Dated 24 July 2008.

²Amended w/o: S.R.O.No. 162-Law,2010, Dated 07 June 2010.



Thank You