

**THE MEMBERS OF THE BANGLADESH PUBLIC
SERVICE COMMISSION (TERMS AND CONDITIONS
OF SERVICE) ACT, 1974**

CONTENTS

SECTIONS

1. Short title and commencement
 2. Definitions
 3. Salary of Chairman and members
 - 3A. Dearness Allowance
 4. Residence
 5. Transport
 6. Telephone
 - 6A. Sumptuary allowance
 - 6AA. Domestic Aid Allowance
 - 6B. Income-tax on salary and allowances
 7. Leave of chairman and members
 8. Gratuity
 9. Provident fund
 10. Travelling allowance
 11. Medical facilities
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**THE MEMBERS OF THE BANGLADESH PUBLIC
SERVICE COMMISSION (TERMS AND CONDITIONS
OF SERVICE) ACT, 1974**

ACT NO. XXI OF 1974

[12th February, 1974]

**An Act to determine the terms and conditions of service
of the members of the Bangladesh Public Service
Commission.***

WHEREAS it is expedient to determine the terms and conditions of service of the members of the Bangladesh Public Service Commission;

It is hereby enacted as follows:-

Short title and
commencement

1. (1) This Act may be called the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service) Act, 1974.

(2) It shall come into force on such date as the Government may, by notification in the *official Gazette*, appoint.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,-

(a) “chairman” means the chairman of ¹[the commission];

²(b) “commission” means the Bangladesh Public Service Commission established under section 3 of the Bangladesh Public Service Commission Ordinance, 1977 (Ord. LVII of 1977);]

(c) “member” means a member of commission.

* Throughout this Act, the words “Bangladesh Public Service Commission”, “The chairman” and “the chairman” were substituted for the words “public service commissions”, “A chairman” and “a chairman” by section 2 of the Members of the Public Service Commissions (Terms and Conditions of Service)(Amendment) Ordinance, 1978 (Ordinance No. XLVII of 1978).

¹ The words “the commission” were substituted for the words “a commission” by section 4 of the Members of the Public Service Commission (Terms and Conditions of Service) (Amendment) Ordinance, 1978 (Ordinance No. XLVII of 1978).

² Clause (b) was substituted by section 4 of the Members of the Public Service Commission (Terms and Conditions of Service) (Amendment) Ordinance, 1978 (Ordinance No. XLVII of 1978).

¹[3. (1) Subject to sub-section (2), there shall be paid to the Chairman and to every other member a salary at the following rates, namely:- Salary of
Chairman and
members

- ²[(a) Chairman..... Taka 23,750 *per mensem*;
(b) Member..... Taka 20,700 *per mensem*.]

(2) Where-

- (a) a person who is, or has been, in the service of the Republic or of a statutory body or nationalised enterprise is appointed as the Chairman or a member, he shall be paid the salary specified in sub-section (1) or a salary which would have been admissible to him in the National Scale of Pay for the post last held by him had he continued in that post, whichever is higher;
- (b) a person is, at the time of his appointment as the Chairman or a member, a retired servant of the Government or of a statutory body or nationalised enterprise, he shall be paid the salary specified in sub-section (1) minus the gross pension, if any, admissible to him in relation to the service from which he retired;
- (c) a person appointed as the Chairman or a member retires from the service of the Republic or of a statutory body or nationalised enterprise during the term of his office as the Chairman or a member, he shall with effect from the date of his retirement, be paid the salary specified in sub-section (1) minus the gross pension, if any, admissible to him in relation to the service from which he retires.]

¹ Section 3 was substituted by section 2 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service) (Amendment) Act, 2000 (Act No. V of 2000).

² Clauses (a) and (b) were substituted for the former clauses (a) and (b) by section 2 of the Members of the Public Service Commission (Terms and Conditions of Service) (Amendment) Act, 2006 (Act No. XIV of 2006) with effect from 1 January, 2005. By virtue of section 6 of the Member of the Public Service Commission (Terms and Condition of Service) (Amendment) Act, 2006(Act No. XIV of 2006), the Chairman and members of the Bangladesh Public Service Commission shall be entitled to draw only 75% of their increased salary (along with their present monthly salary) during the period from 1 January, 2005 to 30 June, 2005.

Dearness
Allowance

¹[3A. There shall be paid to the Chairman and every other member, until the Government, otherwise directs by order in this behalf, dearness allowance at the rate of Taka 400 *per mensem*.]

Residence

4. (1) The chairman shall be entitled to a rent-free Government accommodation ²[or a house allowance at the rate of ³[50 per cent] of his salary *per mensem* in lieu of such accommodation].

⁴[(2) A member shall be entitled to a rent-free Government accommodation or a house allowance at the rate of ⁵[50 per cent] of his salary *per mensem* in lieu of such accommodation.]

⁶[(3) The Chairman and the members shall each be entitled to the re-imburement of the actual charges of electricity, water and gas in the residence for an amount not exceeding ⁷[Taka 1,950] *per mensem*.]

¹ Section 3A was inserted by section 2 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 1988 (Act No. XXII of 1988).

² The words and figure “or a house allowance at the rate of 40 per cent of his salary *per mensem* in lieu of such accommodation” were substituted for the words and figure “or a house allowance of Taka 2,500 per mensem in lieu thereof” by section 3 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 1991 (Act No. XXX of 1991).

³ The word and figure “50 per cent” were substituted for the word and figure “40 per cent” by section 3 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2006 (Act No. XIV of 2006).

⁴ Sub-section (2) was substituted by section 3 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Ordinance, 1985 (Ordinance No. XLVII of 1985).

⁵ The word and figure “50 per cent” were substituted for the word and figure “40 per cent” by section 3 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2006 (Act No. XIV of 2006).

⁶ Sub-section (3) was inserted by section 2 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 1989 (Act No. XII of 1989).

⁷ The word and figure “Taka 1,950” were substituted for the word and figure “Taka 1,500” by section 2 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2001 (Act No. XXII of 2001).

¹[5. (1) The chairman shall be entitled to a Government Transport transport for official purposes free of charge or a conveyance allowance of Taka 1,000 *per mensem* in lieu of such transport:

Provided that if the Government transport is also used otherwise than for official purposes, the chairman shall make payment to the Government for such use at the rate at which a Government servant pays for such use of official transport.

(2) A member shall be entitled to a Government transport for official purposes free of charge or a conveyance allowance of Taka 650 *per mensem* in lieu of such transport.

6. The chairman and the members shall each be entitled to Telephone have one telephone installed at his residence at Government expense and no charges on account of rental of the telephone and the calls made therefrom, except personal trunk-calls, shall be payable by the chairman or member.

²[6A. The chairman and the members shall each be entitled to a sumptuary allowance of ³[Taka 600 and 325] respectively *per mensem*.] Sumptuary allowance

⁴[6AA. A Chairman shall be paid a domestic aid allowance of ⁵[Taka 1000] *per mensem*.] Domestic Aid Allowance

¹ Sections 5, 6, 6A and 6B were substituted for previous sections 5 and 6 by section 7 of the Members of the Public Service Commissions (Terms and Conditions of Service)(Amendment) Ordinance, 1978 (Ordinance No. XLVII of 1978).

² Section 6A was substituted by section 3 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 1989 (Act No. XII of 1989).

³ The words and figure “Taka 600 and 325” were substituted for the words and figure “Taka 450 and 250” by section 4 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2006 (Act No. XIV of 2006).

⁴ Section 6AA was inserted by section 5 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 1991 (Act No. XXX of 1991).

⁵ The word and figure “Taka 1000” were substituted for the word and figure “Taka 685” by section 5 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2006 (Act No. XIV of 2006).

Income-tax on salary and allowances

6B. Income-tax payable by the chairman or a member on account of salary and allowances received by him under this Act shall be deemed to have been paid by the Government.]

Leave of chairman and members

7. (1) A person who is, at the time of his appointment as chairman or member, in the service of the Republic or of a statutory body or nationalised enterprise shall, until he retires from that service, be entitled to such leave as would have been admissible to him had he not been so appointed, and, after his retirement from that service, be entitled to such leave as is admissible to a temporary Government servant.

(2) A person who is not, at the time of his appointment as chairman or member, in the service of the Republic or of a statutory body or nationalised enterprise shall be entitled to such leave as is admissible to a temporary Government servant.

Gratuity

¹[**8.** A person who-

- (a) is not, at the time of his appointment as chairman or member, in the service of the Republic or of a statutory body or nationalised enterprise, or
- (b) at any time before his appointment as chairman or member retired from or ceased to be in any such service without any pension, gratuity or other retirement benefits being admissible to him,

shall be entitled to a gratuity which shall be equal to one month's pay for every completed year of his service as chairman or member and payable after he ceases to hold office.]

Provident fund

9. (1) Where a person appointed as chairman or member is, at the time of his appointment, a subscriber to any contributory provident fund and continues to be such subscriber after his appointment, the Government shall contribute to such fund the amount which would have been required to be contributed by his employer had he not been so appointed.

¹ Section 8 was substituted by section 2 of the Members of the Public Service Commissions (Terms and Conditions of Service)(Amendment) Act, 1974 (Act No. LXV of 1974).

(2) Where a person is not, at the time of his appointment as chairman or member, in the service of the Republic or of a statutory body or nationalised enterprise, he shall be eligible to be a subscriber to a general provident fund on the same conditions as are applicable to a temporary Government servant.

10. The chairman or member travelling on duty shall be entitled to such travelling allowances as are admissible to a class I Government servant. Travelling allowance

11. The chairman or member shall be entitled to such medical benefits as are admissible to a class I Government servant. Medical facilities
