

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

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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. ²[(1) Subject to sub-section (2), there shall be paid *per mensem*- Salary of Chairman and members

- (a) to the Chairman such salary as is admissible to the cabinet secretary; and
- (b) to a Member such salary as is admissible to the secretary to the Government.]

(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;
- ³[(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), and no pensionary benefit, if any, will be deducted from the salary which the Chairman or a Member is entitled to draw under section 3(1) and 3(2);]
- ⁴[(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-

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 Sub-section (1) was substituted by section 2 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service) (Amendment) Act, 2012 (Act No. XXXVIII of 2012).

³ Clause (b) was substituted by section 2(a) of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service) (Amendment) Act, 2009 (Act No. XLV of 2009) (with effect from 3rd April, 2008).

⁴ Clause (c) was substituted by section 2(b) of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service) (Amendment) Act, 2009 (Act No. XLV of 2009) (with effect from 3rd April, 2008).

section (1), and no pensionary benefit, if any, will be deducted from the salary which the Chairman or a Member is entitled to draw under section 3(1) and 3(2).]]

Allowances other than house allowance and other benefits ¹[**3A.** The allowances other than house allowance and other benefits of the chairman shall be the same as are admissible to the cabinet secretary and a member shall be the same as are admissible to the secretary to the Government.]

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-imbusement of the actual charges of electricity,

¹ Section 3A was substituted by section 3 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2012 (Act No. XXXVIII of 2012).

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).

water and gas in the residence for an amount not exceeding
¹[Taka 1,950] *per mensem*.]

²[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.

³[***]

⁴[***]

⁵[***]]

¹ 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).

² 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).

³ Section 6A was omitted by section 4 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2012 (Act No. XXXVIII of 2012).

⁴ Section 6AA was omitted by section 5 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2012 (Act No. XXXVIII of 2012).

⁵ Section 6B was omitted by section 6 of the Members of the Bangladesh Public Service Commission (Terms and Conditions of Service)(Amendment) Act, 2012 (Act No. XXXVIII of 2012).

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
