

The Jatiya Sangsad Wednesday passed the Representation of the People (Amendment) Bill, 1994, empowering the Election Commission to ensure a foolproof electoral system in the country.

Following are excerpts from the text of the new Act carried by BSS Wednesday.

The Bill substituted two new provisions of the 1972 Representation of the People Order, which said:

"The Election Commission, constituted in accordance with Article 118 of the Constitution, may be strengthened by appointing such a number of commissioners as may be deemed necessary.

The Bill provides that subject to the provisions of the Representation of the People Order, 1972, the Election Commission shall regulate its own procedure."

About the appointment of returning officers and others, the Bill substituted new provisions as follows:

(1) The Election Commission shall appoint a returning officer for each constituency for the purpose of election of a member for that constituency, and a person may be appointed as returning officer for two or more constituencies.

(2) Provided that no assistant returning officer shall be appointed for more than one constituency."

The Commission may appoint from amongst the officers of the government, corporations controlled by such government and local authorities, as many assistant returning officers as may be necessary.

Highlights of Representation of People (Amendment) Bill '94

(3) An assistant returning officer shall assist the returning officer in the performance of his functions under this order and may, subject to any condition imposed by the commission, exercise and perform, under the control of the returning officer, the power and functions of the returning officer.

(4) It shall be the duty of a returning officer to do all such acts and things as may be necessary for effectively conducting an election in accordance with the provisions of this order and the rules:

(5) Subject to the superintendence, direction, and control of the Commission, the returning officer shall supervise all work in the constituency in connection with conduct of elections and shall also perform such other duties and function as may be entrusted to him by the commission.

(6) The Commission may, at any time, for reasons to be recorded in writing, withdraw any officer performing any duty in connection with an election, or any other public functionary, or any other law enforcing personnel who obstructs or prevents or attempts to obstruct or prevent the conduct of fair and impartial poll or interferes or attempts to interfere with an

elector when he records his vote, or influences in any manner the polling staff or an elector or does any other act calculated to influence the result of election, and make such arrangement as it or he may consider necessary for the performance of the functions of the officer so withdrawn.

(7) Where the Commission withdraws any officer or person under Clause (6), the Commission shall refer the matter to the appropriate authority for taking disciplinary action against such officer or person.

The Article 9 of the 1972 Order has been substituted by following three new provisions:

"(1) The returning officer shall, by a notice in writing require all heads of offices, institutions and establishments, whether government or non-government, in the district to provide him with a list of their officers and employees of such grades as he may specify for preparation of a panel of presiding officers, assistant officers and polling officers from amongst them.

(1a) After the preparation of the panel, the returning officer shall send a copy thereof to the heads of all the offices, institutions and establishments whose officers and employees have been included in the

panel with a request to place the service of these officers and employees at the disposal of the Commission for use for election purpose and also forward a copy of the panel to the Commission.

(1b) The returning officer shall appoint from the panel for each polling station a presiding officer and such number of assistant presiding officers and polling officer to assist the presiding officers as the returning officer may consider necessary.

Provided that a person who is, or has at any time been, in the employment of any candidate shall not be appointed as a presiding officer, assistant presiding officer or polling officer.

An identity card shall not be accepted as valid unless the photograph of the elector in the identity card and his signature/thumb impression therein and the signature of the issuing officer of the Commission and the seal of the Commission thereon are distinct and clear.

About administration and conduct during election period, the Bill proposes to insert the following:

"During the period after the publication of a notification under Article 11 and the expiration of fifteen days after the declaration of the result of the election by the returning officer under Article 39, no-

(a) Judicial officer below the district judge,

(b) Deputy Commissioner,

(c) Superintendent of police, or

(d) Officer subordinate to any of them serving in the district concerned, shall be transferred to any place without prior consultation with the Commission.

(2) A deputy commissioner or superintendent of police or

any officer subordinate to any of them shall be transferred outside the district if the Commission requests in writing that such transfer is necessary in the interest of fair election.

(3) No person whose name appears in a panel prepared under Article 9 shall be transferred outside the district without the prior approval of the returning officer till the polls are taken.

(4) All persons mentioned in Clause (1) shall render all such assistance and help as may be required by the returning officer for the purposes of the election.

The Bill proposes to insert a provision to the Article 63 of the Representation of the People Order, 1972 that the tribunal shall declare the election of the returned candidate to be void if he is satisfied that the returned candidate has spent more money than what is allowed under Article 44b(3).

A new clause (1a) has been inserted after Article 78(1) that during the time mentioned in Article 78(1) no person shall:

(a) Resort to an act of violence or unruly behaviour,

(b) Hold threats or intimidate voters or persons connected with election activities or duties and

(c) Show or use any arms or force.

The Bill replaced Article 91 by two new provisions which said:

(91) The Commission to ensure fair elections, etc. save as otherwise provided, may—

(a) Stop the polls at any polling station at any stage of the election if it is convinced that it shall not be able to ensure the conduct of the election justly, fairly and in accordance with law due to malpractices, including coercion,

intimidation and pressures, prevailing at the election.

(b) Review an order passed by an officer under this order or the rules, including rejection or acceptance of a ballot paper, and

(c) Issue such instructions and exercise such powers, and make such consequential orders as may, in its opinion, be necessary for ensuring that an election of any polling station is conducted impartially, justly and fairly, and in accordance with the provisions of this order and the rules."

"91(a) (1) Prevention and control of pre-poll irregularities:

The commission shall establish a committee to ensure the prevention and control of pre-poll irregularities, to be known as the electoral enquiry committee, hereinafter referred to as "the committee."

(2) Constitution of committee:

The committee shall consist of such number of persons as may be determined by the Commission from amongst the judicial officers.

(3) Functions of the committee:

The committee shall, on the basis of information received by it, or on its own initiative, inquire into any matter or situation which in its view may constitute an offence under this order, or which may involve, by any persons whatsoever, as act or omission constituting intimidation, obstruction, coercion, or the publication of false information, or any other act or omission intended to or actually resulting in the obstruction or frustration of the preparation for, or the conduct of, free and fair election in accordance with this order and the rules.

(4) Enquiries by committee: In performing its functions under this order, and subject to the direction of the commission, the committee may conduct any inquiry as it deems necessary before the election is over.

(5) Powers of committee: The committee, in conducting such inquiry, shall have the right to:

(a) Require, in writing, any person to appear before it and give evidence under oath or affirmation to it, and

(b) Require, in writing, any person to produce any documents or objects under his control to it.

(6) Action following inquiry: After conducting an inquiry, the committee shall:

(a) Inform the Commission within three days of the inquiry and may make a recommendation, which may include:

(1) Proposals for any order, directive or instruction to be made by the Commission to any person responsible for any act, to stop such act forthwith, or, in the case of any omission, to perform any act specified, including, if necessary, the appropriate correction of any false information.

Provided that in the event of non-compliance, if any of the above order, instructions as the case may be, the Commission may impose fine not exceeding Tk 5000."



(From right) Sarwat Ara Sultana Zaman, Prof A R Khan and Dr Naila Khan exchanging views with the newsmen at the Sheraton Hotel yesterday on the eve of an international seminar to mark the disabled week. — Star photo

BOL

Bangladesh Oxygen Limited

Final Dividend-1993/94

Recommended by the Directors : Tk. 3.75 per share (37.5%)

Next Annual General Meeting : at 10 AM on 28 January 1995 at Sonargaon Hotel, Dhaka

Book closure dates : 30 December 1994 to 28 January 1995 (both days inclusive).

Secretary, Bangladesh Oxygen Limited, 4 Mohakhali C/A, Dhaka.

Bangladesh Sugar & Food Industries Corporation

Tender Notice

Tender Notice No. BSFIC/PD-1/CAREW/1272/94-95 Dated : 01-12-1994

Sealed tenders are invited from Bonafide Suppliers/Manufactures by Bangladesh Sugar & Food Industries Corporation, Adamjee Court (5th Floor), 115-120, Motijheel Commercial Area, Dhaka for import of (1) Glass Bottle (2) Cap Sealing Machine (3) Capseal (4) Spirit drum on C&F (C) Chittagong delivery basis. Earnest Money @1% of the total value should accompany the tender in the form of Pay Order/Bank Draft. Source of fund is Cash Foreign Exchange. Tenders will be received up to 12:00 Noon on 31-12-1994 and opened in the presence of tenderers at 12:10 PM on the same day. Tender documents with detail specification and other terms will be available from the (1) Additional Chief Accountant (H.O.) of the Corporation at Adamjee Court (4th Floor), and the (2) General Manager (Shipping), BSFIC, Shipping Office, Arag Chamber, 68, Agrabad C/A, Chittagong on cash payment of Tk. 750.00 only (non-refundable) on all working days between 9:00 AM and 12:30 PM. No tender documents will be sold on the day of opening of the tenders. Corporation reserves the right to accept/reject any or all tenders without assigning any reason whatsoever.

S.F-201
D-1217

Government of Bangladesh

Office of the Executive Engineer

(RHD), Phone: 20678

Road Division, Khulna

Notice Inviting Tenders

1. Tender Notice No : 87 of 1994-95 of Khulna Road Division.
2. Name of work : Providing barbed wire fencing wire RCC pillars surrounding the (RHD) staff quarter at Rupsha east under (RHD), Road Division, Khulna during the year 1994-95.
3. Charge to : 168-RBF.
4. Estimated cost : Tk 1,50,701/-
5. 2% earnest money : Tk 3,014/-
6. Time allowed : 25 (Twenty five) days.
7. Eligibility of contractor : "A" to "E" General category contractor.
8. Last date and time of receipt of the tender : At 12.30 PM on 11.12.94.
9. Date and time of opening of the bid : At 12.45 PM on 11.12.94.
10. Name of office where tender will be received : a) Superintending Engineer, (RHD), Road Circle, Khulna, b) Executive Engineer, (RHD), Road Division, Satkhira, c) Executive Engineer, (RHD), Road Division, Bagerhat, AND d) Executive Engineer, (RHD), Road Division, Khulna. Executive Engineer, (RHD), Road Division, Khulna/Bagerhat/Satkhira and all Sub-Divisional Engineers' offices under (RHD), Road Division, Khulna.
11. Name of offices where tender schedule will be sold on all working days except Fridays and other Govt holidays : Quazi Ghulam Mustafa Executive Engineer, (RHD), Road Division, Khulna

DFP-11443-27/11
G-1890



Sonali Bank
Foreign Exchange Corporate Branch
27, Dilkusha Com. Area, Dhaka

Tender Notice

Sealed tenders are hereby invited from the intending purchaser for sale of the following imported goods "As is where it is basis".

Sl. No.	Name & Address of the Importer	Letter of Credit No.	Description of Goods	Place of Storage
1.	M/s. Saifuddin Ahmed 294, Fakirpur, Dhaka.	FEB/WES/3/LC/250/83	20 drums dyes.	181, Hazaribagh, Dhaka.
2.	-do-	FEB/WES/3/LC/258/83	35 cases Dyestuff	-do-
3.	M/s. M.H.Trading 294, Fakirpur, Dhaka.	FEB/WES/12/LC/05/84	20 drums Chemicals	-do-
4.	M/s. Radiant Electronics H-72, Amtoly, Mohakhali, Dhaka.	FEB/SEM/3/LC/01/90	3046 Pcs. of Video Cassette	Gousul Azam Maszid Complex, Mohakhali, Dhaka.
5.	M/s. Nipa Traders, 3/2, Bakshi Bazar, Dhaka.	FEB/SEM/3/LC/16/89	20 Bags Maelic Anhydride	-do-
6.	M/s. New Electrical & Engineering Co., 150, Motijheel C/A, Dhaka.	FEB/SEM/3/LC/8/89	171, Moulded Circuit Braker	Bank's Premises.

- Conditions:
1. Goods may be inspected during office hours on contacting with the undersigned.
 2. Earnest money @ 5% on quoted amount by Draft/Payment Order of any schedule Bank in favour of Sonali Bank, Foreign Exchange Branch, Dhaka should be submitted along with tenders, failing which the tenders will be outrightly rejected.
 3. The consignment should be lifted by the successful tenderers within 7(seven) days from the date of acceptance of the tender after depositing 95% of the balance amount failing which earnest money shall be forfeited.
 4. Earnest money of the unsuccessful tenderers will be refunded in time.
 5. Tenders must be submitted in sealed envelope.
 6. Bank reserves the right to accept any tender or reject all tenders without assigning any reason whatsoever.
 7. Tenderers may submit one tender for above 6(six) accounts or any of the items.
 8. Tenders must be dropped in the tender box kept in the office of the undersigned on or before 3.30 PM on 7th December '94. Tenders will be opened on the same day at 4.00 PM in the presence of the tenderers or their representative, if any.

It may be mentioned here that the Tenderers must satisfy themselves in respect of quantity, quality, size and weights of the goods before they participate in the tenders and the Bank shall not be held responsible for any consequence whatsoever in this respect and no complain or excuse of the tenderers will be entertained by the bank in this regard.

S M Hassan Imam
Deputy General Manager
Sonali Bank
Foreign Exchange Corporate Branch
Dhaka.

SB/Jana/16/759/94
D-1215



Janata Bank

Engineering Division

Head Office (5th Floor)

110 Motijheel Commercial Area Dhaka.

Notice Inviting International Re-tender

Sealed Re-tenders are invited from reputed Elevator Contractors who are authorised agents of internationally reputed Elevator/Manufacturers for "Supply & Installation of 2 nos. Elevators and associated works" (of USA/UK/SWITZERLAND/France/JAPAN/GERMANY/ITALY/SOUTH KOREA/THAILAND Origin) for 9 storied Janata Bank Bhaban at 48 Motijheel Commercial Area, Dhaka-1000.

Re-tender Documents shall be sold only to those firms who have proven experience in successful supply & installation of 10 nos. Elevators of Govt./Semi Govt. Organization and have records of smooth maintenance of the same for at least 3(three) years from the date of commissioning and are found suitable on the basis of the following genuine information which the intending tenderers are required to submit to the undersigned within 11.12.1994.

01. Name and address of the firm.
02. Photocopy of the Agency Certificate from the respective manufacturer.
03. Photocopy of the valid Trade Licence and Income Tax Clearance Certificate.
04. List of similar projects completed with member of units and capacity of Elevators with value of work alongwith satisfactory completion certificate from the Employer(s) with date (s) of commencement and completion.
05. Type of organisation; Sole proprietorship/Partnership/Limited company with date of Registration.
06. Chronological bio-data of owner/Partners/Directors/Engineers of the firm.
07. Financial solvency certificate from any scheduled Bank indicating OD limit, if any, from the applicants Bankers.

All the above documents/Certificates must be attested by first class Govt. Gazetted officers and on demand originals shall have to be produced.

Any intending tenderer if ever blacklisted by any Organisation is not eligible to apply.

Subject to eligibility of the intending tenderer on the basis of the above information as per evaluation of the Employer re-tender papers will be available from the Assistant General Manager, Janata Bank, Engineering Division, Head Office, 110 Motijheel Commercial Area, Dhaka-1000 during office hours on payment of Tk 3000/- (Taka three thousand only) (non-refundable) per set from 18.12.1994. No re-tender paper shall be sold after 22.12.94.

An Earnest Money of lump sum Tk 1,50,000.00 (Taka one lakh fifty thousand only) shall be submitted with Technical Offer in the form of Bank Draft/Pay Order from any scheduled Bank duly executed in favour of Janata Bank head office without which the re-tender shall be rejected.

The Re-tenders shall be submitted by the tenderers in two separate envelopes marked "Technical Offer" and "Financial Offer as detailed in "Instruction to Tenderers" at the Office of the undersigned (5th floor, Engineering Division) up to 11.00 hours on 11.01.1995 and shall be opened at 11.30 hours on the same day at the same place in presence of tenderers who may like to attend the opening.

Incomplete and conditional tender will not be considered.
The authority reserves the right to accept in full or in part or reject any or all tenders without showing any reason.
D-1216
Assistant General Manager