

## **PART I. General Rules.**

### **CHAPTER I.**

#### **BUSINESS NOT OF A JUDICIAL CHARACTER. The General Administration Committee.**

1. There shall be a General Administration Committee composed of the Chief Justice and not more than three Judges as the Chief Justice may appoint from time to time.
2. The General Administration Committee shall be in charge of the control and direction of the Subordinate Courts, so far as such control and direction are exercised otherwise than judicially.
3. The General Administration Committee shall have power, generally without reference to all the Judges-
  - (a) to dispose of all .correspondence within its own department, urgent in its nature and not of general importance;
  - (b) <sup>1</sup>[\*\*\*]
  - (c) <sup>2</sup>[\*\*\*]
  - (d) to make recommendations for the appointment of <sup>3</sup>[Joint District Judges], and for the promotion, degradation, or suspension of <sup>3</sup>[Joint District Judges] and <sup>4</sup>[Senior Assistant Judges and Assistant Judges]; but all such recommendations of the Administration Committee shall be placed before the Full Court for approval.
4. The Chief Justice may at any time direct that the powers conferred on the Administration Committee in rule 3 above shall be exercised by one or two or more Judges of that Committee and such Judges may apportion the duties of the Committee between them, subject to the approval of the Chief Justice.
5. Orders on all correspondence and on all returns and statements (not being returns to precepts and judicial orders or explanations called for by particular Judge or Judges or Benches) shall ordinarily be passed under the, powers of the Administration Committee, as hereinafter specified, by the Judge or Judges of that Committee so appointed by the Chief Justice under rule 3 above (or by the Registrar under his or their superintendence):

Provided that the Sessions statement which is required from each Sessions Judge at the close of every Sessions shall be submitted for the orders of the Judges of the Division Court sitting for the disposal of the Criminal Business or such other Judges as the Chief Justice may direct.
6. The General Administration Committee shall have power to place in charge of any Judge of the Committee the day to day administration of any branch of its functions and such Judge may place any matter he has to deal with before that Committee. The General .Administration Committee may refer any important matter it has to deal with to the Full Court.

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<sup>1</sup> Rule 3(b) was omitted by Notification No. 9-G, the Bangladesh Gazette, March 30, 2006.

<sup>2</sup> Rule 3(c) was omitted by Notification No. 9-G, the Bangladesh Gazette, March 30, 2006.

<sup>3</sup> The words "Joint District Judges" were substituted for the words "Subordinate Judges" by notification no. 9-G, the Bangladesh Gazette, March 30, 2006.

<sup>4</sup> The words "Senior Assistant Judges and Assistant Judges" were substituted for the work "Munsifs" by notification no. 9-G, the Bangladesh Gazette, March 30, 2006.

7. The Judge or Judges in the Administration Committee are empowered to pass orders on the following matters, namely:-

- (a) Matters arising out of the revision of periodical returns and statements furnished by the Civil and Criminal Courts and also Sessions statements as referred to them by any Judge.
- (b) The posting and promotion of and granting of leave to, person belonging to the Subordinate Civil Judicial Service.
- (c) Recommendations to Government for the appointment of Assistant Sessions Judges and for the investiture of Subordinate Judges and Munsifs with extraordinary powers, e.g., powers under the Succession Act of 1925, the Land Acquisition Act, etc.
- (d) Applications and routine reference connected with the admission and enrolment of Pleaders and Mukhtears under Act (XVIII of 1879).
- (e) All Administrative matters connected with the Administration of the Bar Council Act, the Legal Practitioners' Act and the Touts Act and the rules made thereunder.
- (f) All matters connected with Circular and Standing Orders Forms and issue of General and Special Letters.
- (g) All other correspondence not related to matters judicial or orders of other Judges, unless there be, as to any subject, an express rule to the contrary or unless the importance of the subject may render it fit, in his opinion, to be laid before a greater number of Judges of the Administration Committee or the Full Court.

### **Special Committee**

8. The Judges present at a meeting of the Full Court, or the Chief Justice, at any time, may appoint any Judge or a Committee of two or more Judges to consider and report to the Full Court upon any matter which may be referred to it on any point or points and such a Judge or Committee shall have power, without reference to the Judges generally, to enter upon and conduct any correspondence, which the Judge or the members of the Committee may consider desirable in order to enable them to prepare their report.

### **Contemplated Legislation**

9. Bills of the Legislative Department of the Central Government and of the Provincial Government forwarded to the High Court Division for opinion, proposals for the amendment of the law and generally all matters connected with the development of the law shall be placed before the Full Court for its opinion and if the Judges present at the meeting of the Full Court or the Chief Justice so desire, they or he may refer such matter or matters for consideration and report of a Committee of two or more Judges.

10. The report of such Committee shall be circulated among the Judges under orders of the Chief Justice by the Registrar and in his absence by the Deputy Registrar 7 days before placing it in the Full Court Meeting but in case of urgency this rule may be relaxed by the order of the Chief Justice.

11. (a) The Registrar is in administrative control of the offices of the Court, and the Officers in immediate charge of such offices are responsible to the Registrar and he to the Chief Justice for their efficient administration. Matters affecting all departments, and establishment questions in particular, shall be submitted to the Registrar through the Deputy Registrar.

(b) The Deputy Registrar shall in matters other than establishment questions act under the direction of the Registrar and when required shall be in charge of and guide and control the entire office in all its jurisdictions subject to the orders of the Chief Justice and the rules framed by the Chief Justice or any other Committee of Judges or any Judge in charge of any department.

(c) The Assistant Registrars will generally submit to the Registrar proposals, comments, etc., on administration effecting finance, establishment and employees of the Court and those related to furniture, stores, equipment, installation, forms and stationery through the Deputy Registrar and the Registrar in his turn shall seek the order of the Chief Justice in all important subjects connected therewith.

(d) All Administrative papers to be laid before the Chief Justice or any of the Judges shall ordinarily be submitted through the Registrar.

<sup>1</sup>[(e) The Registrar shall maintain a confidential Character Roll for each Gazetted Officer of the Court.

Note- For Form of annual Confidential Report on Gazetted Officers of the High Court, see Appendix to this Chapter].

12. The office rooms of the Court are not open to the public; information regarding cases shall only be obtained upon filing an application in the prescribed form. Advocates may, however, interview any Gazetted Officer of the Court during office hours on official business. They or their clerks shall also have free access to the proper officials for the purposes mentioned below:-

- (a) Obtaining an official report from the Stamp Reporter as to the sufficiency or otherwise of the stamp on a memorandum of appeal, on a memorandum of objection under order XLI, rule 22 or 26, Civil Procedure Code, on an application for review and on an application for leave to appeal in *forma pauperis*;
- (b) Presenting memoranda of appeals, memoranda of objections under order XLI, rules 22 and 26, Civil Procedure Code, in accordance, with the rules made by this Court and getting the Court-fee stamps attached to such memoranda cancelled by the clerk-in-charge;
- (c) Having Court-fee stamps affixed to miscellaneous applications intended to be presented to the Court or the Registrar, or applications for copies, information or inspection cancelled by the clerk-in-charge and entered in the Filing Register;
- (d) Transacting business connected with the deposit and withdrawal of money, etc., with the Accountant of the Court;
- (e) Filing applications for leave to appeal to the Supreme Court after cancellation of the Court-fee stamps attached to such applications and entry in the Filing Register;
- (f) Filing applications for copies and folios with the Superintendent of the Copying Section, and appearing before him when required to do so;

<sup>1</sup> Rule 11(e) was added by File no 4R-20/61, The Dacca Gazette, January 11, 1962.

- (g) Inspecting records in the Inspection Room or the space set apart for the purpose of inspection and in the presence of the Clerk-in- Charge;
- (h) Filing applications with the Bench Clerks and appearing before them to settle draft decrees or when required to appear before them for any other official purposes;
- (i) Filing applications for information and inspection of records with the officers empowered to deal with these matters;
- (j) Filing other documents not referred to above with the Clerk-in- Charge for cancellation of the Court-fee stamps (if any) attached to such documents, and for distribution to the departments concerned;
- (k) Receiving manuscripts, receiving and filing proofs of paper-books and filing paper-books;
- (l) Translating documents for preparation of paper-books (only such Advocates and their clerks as are authorised to do so under the rules of this Court);
- (m) Translating documents in relation to Second Appeals, Second Miscellaneous Appeals, Revision Cases and References (only such Advocates and their clerks as are referred to in Rule 38 of Chapter IX of these Rules);
- (n) Obtaining prescribed forms from the Clerk-in-Charge or the Forms Clerk;
- (o) Having oaths and affirmations administered before a Commissioner of Affidavits;
- (p) Getting affidavits explained to declarants by translators of the Court; and
- (q) Paying Talabana and other fees, charges and costs.

13. It shall be the duty of the Registrar to submit all papers relating to any matter to the Committee, if any, appointed to deal with it.

14. (a) When the General Administration Committee has acted under rule 3 of this Chapter, and has arrived at any decision or any other Committee or Judges has come to any decision on any important matters and the matters are not referred to the Full Court, such decisions shall be circulated amongst the Judges.

(b) When a Special Committee is appointed under rule 8 of this Chapter, a notice shall be circulated to all the Judges informing them of the appointment, of the names of the members, and of the matters, which have been referred to it.

(c) When any matters are pending before such Special Committee, notices shall be circulated fortnightly to all the Judges stating what matters are pending and the notices should also state if the matters pending are before one or more or all the Judges or any Committee of Judges.

15. It shall be competent to any Judge to require that any matter within the cognizance of any Committee shall be referred to the Full Court. .

16. On the following matters all the Judges shall be consulted:-

- (a) Proposed changes in the law where the proposition emanates from the Government, or in other cases, a Committee or any Judge of the Court considers that action is called for.
- (b) The Administration Reports yearly submitted to the Government when passed by the Judges of the General Administration Committee.
- (c) Rules which, when published, will have the force of law.
- (d) Any subject or subjects connected with the relations between the Supreme Court or the Government on the one hand and the High Court on the other.
- (e) All recommendation for the dismissal from office of Judicial Officers and all proposals to suspend or dismiss from service any Gazetted Officer.

17. Any individual Judge shall be at liberty to record a separate minute upon any matter that comes before the Full Court for discussion; but no such minute shall be submitted to the Government or to any other officer or office outside the High Court Division by the Registrar unless or until it has been circulated to the rest of the Judges and so ordered by the Full Court or the Chief Justice.

18. The Registrar shall under the orders of the Chief Justice circulate notices of the meeting of the Full Court and of the General Administration Committee to all the Judges or the Judges of the Committee, as the case may be, at least two days before the day of the meeting; and in case of special urgency reasonably before the meeting.

19. The proceedings of all meetings of the Full Court and of the General Administration Committee shall be recorded in books to be kept for that purpose by the Registrar, and shall be at all times open to inspection, when called for by any of the Judges.