

What are the duties of public servant under Bangladesh constitution?

Duties of citizens and of public servants

21. (1) It is the duty of every citizen to observe the Constitution and the laws, to maintain discipline, to perform public duties and to protect public property.

(2) Every person in the service of the Republic has a duty to strive at all times to serve the people.

In Bangladesh, the duties of public servants are outlined in various laws, regulations, and guidelines, including the Constitution of Bangladesh. The Constitution of Bangladesh, in particular, sets forth the fundamental duties of public servants. These duties generally include:

1. **Service to the People:** Public servants are obligated to serve the people of Bangladesh diligently and faithfully.

2. **Obedience to Constitution and Law:** Public servants must adhere to the Constitution of Bangladesh and uphold the rule of law. They are required to obey all laws and regulations while performing their duties.

3. **Impartiality and Neutrality:** Public servants are expected to remain impartial and neutral in their actions and decisions, without any bias towards any individual, group, or political entity.

4. **Accountability and Transparency:** Public servants are accountable to the people of Bangladesh for their actions and decisions. They are required to be transparent in their dealings and use public resources responsibly.

5. **Integrity and Honesty:** Public servants must maintain high standards of integrity and honesty in the discharge of their duties. They should avoid corruption, bribery, and any other forms of unethical behavior.

6. **Protection of Public Interest:** Public servants are entrusted with safeguarding the interests of the public and promoting the common good. They should prioritize the welfare of the citizens in all their actions and decisions.

7. **Efficiency and Competence:** Public servants are expected to perform their duties efficiently and competently, utilizing their skills and expertise for the benefit of the public.

8. **Respect for Human Rights:** Public servants must respect and protect the fundamental rights and freedoms of all individuals, as enshrined in the Constitution and international human rights instruments.

Constitutional provision related to dismissal of public servant.

In Bangladesh, the Constitution provides certain provisions related to the dismissal of public servants. The primary constitutional provision regarding dismissal of public servants is outlined in **Article 135** of the Constitution of Bangladesh. Article 135 states:

135. (1) No person who holds any civil post in the service of the Republic shall be dismissed or removed or reduced in rank by an authority subordinate to that by which he was appointed.

(2) No such person shall be dismissed or removed or reduced in rank until he has been given a reasonable opportunity of showing cause why that action should not be taken:

Provided that this clause shall not apply –

(i) where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction of a criminal offence; or

(ii) where the authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that, for a reason recorded by that authority in writing, it is not reasonably practicable to give that person an opportunity of showing cause; or

(iii) Where the President is satisfied that in the interests of the security of the State it is not expedient to give that person such an opportunity.

(3) If in respect of such a person the question arises whether it is reasonably practicable to give him an opportunity to show cause in accordance with clause (2), the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank shall be final.

(4) Where a person is employed in the service of the Republic under a written contract and that contract is terminated by due notice in accordance with its terms, he shall not, by reason thereof, be regarded as removed from office for the purposes of this article.

These duties are essential for maintaining the integrity and effectiveness of public administration in Bangladesh and ensuring that public servants serve the interests of the people with dedication and professionalism.

What are the key components of the investigation structure in departmental proceedings for disciplinary actions against public servants in Bangladesh?

What is lien and Foreign Service? Describe the conditions of Foreign Service.

What is lien?

Lien means holding onto your job while you work somewhere else. It's like keeping your place in line so you can come back to your job later. It gives you the right to return to your original job after taking a break to work elsewhere.

- Lien means keeping a job position reserved while working elsewhere.

- It allows a person to return to their original job after a period of working elsewhere.

What is Foreign Service?

Employment in which a Government servant receives salary and allowances from any source other than Government revenue subject to the prior approval of the Government is called foreign employment. Foreign employment may be outside the country or within the country in a national, regional or international organization outside the control of the government.

Two Ministries have been given the authority or power to grant permission for foreign employment:

A. Ministry of Labor and Employment/Ministry of Expatriate Welfare and Foreign Employment in case of foreign employment obtained under bilateral agreements executed by the Government of Bangladesh with any country or organization.

B. Ministry of Public Administration in respect of all foreign employments other than sub-clause 'A' above.

Conditions of Foreign Service.

Here are the key points:

1. Application Process:

- Private candidates apply through the Ministry of Public Administration.
- Government candidates apply through their respective Administrative Ministries.
- No direct application to foreign diplomatic missions or foreign-aided NGOs without government approval.

2. Lien on Bangladesh Jobs:

- Government candidates interested in retaining lien apply to their Administrative Ministries.
- The maximum lien period is five years, extendable upon request.

3. Salary and Allowances:

- Determined by agreement between employee and employer, subject to government approval.
- Government not liable for employment contract debts or disability arising from duty.

4. Government Responsibilities:

- Not involved in determining terms of service or settling disputes with foreign employers.
- Officer must execute an undertaking to the government before foreign employment permit.

5. Financial Responsibilities:

- Expenses for joining foreign employment and returning to Bangladesh borne by employer or employee.

- Regular contributions to Provident Fund, Welfare Fund, and Youth Insurance Fund required.

- Pension and Leave Salary Contributions must be paid by the foreign employer or employee regularly to avoid interruption of service benefits.

6. Service Benefits:

- Service leave and pension not counted if contributions are not paid regularly, leading to a break in service continuity.

Describe the rules of fixation in case of Promotion and Demotion.

The rules for fixation of pay in case of promotion and demotion are outlined as follows:

1. Promotion:

- When an employee is promoted to a higher post, their initial pay in the new post will be fixed at the stage of the time-scale of pay that is next above their basic pay in the old post, including any personal pay.
- If the employee has previously worked in the same post or a regular post on the same time-scale of pay, their initial pay in the promoted post shall not be less than the basic pay they drew on the last occasion. They shall also count for increments the period during which they drew that pay on such last and any previous occasion.
- If an employee is granted one or more advance increments in recognition of special qualifications, experience, outstanding performance, or merit, this can be done with the prior approval of the Board.

2. Demotion:

- When an employee is demoted to a lower post, the competent authority may allow them to draw any pay not exceeding the maximum pay of the latter post, which it deems proper.
- If an employee after officiating in a higher post is reverted to a lower post, the period of service in the higher post shall count for increments in the lower post.

These rules ensure that the pay fixation during promotion or demotion is fair and considers the employee's previous pay and service period. They also provide for special cases where advance increments may be granted and the conditions under which service in higher or lower posts affects pay fixation.

Describe the conditions to allow TA & DA.

- Should be in regular employment/ civil servant.

- Must travel for government work and public interest.
- Travel must be approved by appropriate authorities.
- 8 km from the headquarters. Radius must travel above
- Travel must be completed as per travel order or itinerary
- Travel allowance should be covered. Expenses and remaining allocations should be entered with the bill.
- Fractional rent of K.M. cannot be claimed.
- Different types of travel cannot be claimed on the same line.
- Court certificate to be submitted for travel allowance in case of court appearance.
- Travel should be performed in a cost-effective and straightforward manner.
- Daily allowance is not admissible for HQ postings.
- 1 DA animal per 24 hours at locations outside HQ.
- If you return to Sadar on the same day, daily allowance is not paid.
- 1 daily allowance at normal rate for officers traveling in government vehicles for more than 8 hours.
- Half daily allowance is payable for journeys of less than 8 hours but more than 4 hours.

Discuss the seniority rules of BCS cadre & BCS Direct Recruitment Rules.

Seniority rules of BCS cadre

The order of seniority among members of a Service Cadre in the Bangladesh Civil Service follows these principles:

- a) For a Service that wasn't previously organized based on junior and senior scales, seniority starts from the date of regular appointment in the lowest post of that Service.
- b) For a Service that was previously organized with junior and senior scales and where promotees were directly promoted to the senior scale, seniority is based on continuous service in the senior scale.
- c) For a Service previously organized with junior and senior scales where promotees were promoted to the junior scale, seniority is determined by continuous service in the junior scale.
- d) Lateral entrants to a Service Cadre have seniority based on their appointment to the pay scale they were in at the time of joining the Cadre.
- e) For future appointees to a Service Cadre without lateral entry at higher levels, seniority starts from their appointment to the lowest specified post in the Cadre.
- f) For future appointees to a Service Cadre with provision for lateral entry at higher levels, seniority begins from their appointment to the relevant specified post on a regular basis.
- g) Officers recruited directly to a Cadre and Sub-Cadre of the Bangladesh Civil Service through earlier open advertisements by the Bangladesh Public Service Commission or competent authorities rank senior to those recruited through subsequent open advertisements, even if the latter are appointed earlier.

BCS Direct Recruitment Rules.

1. Only the Commission can recommend appointments for direct recruitment to a service.
2. To be eligible for direct recruitment, a person must be a citizen, permanent resident, or domiciled in Bangladesh, and not married to a non-citizen.
3. Before appointment, the selected person must be certified medically fit by a Medical Board and their background checked for suitability.
4. No one can be recommended for appointment if already employed, they applied through their official superior.
5. Unless applied with proper fee and forms.
6. Unfit in Medical board.

Describe the standards of Financial Propriety.

Standards of financial propriety dictate how officers handle public funds. Key principles include:

1. Officers should be as careful with public money as they would be with their own.
2. Expenses should be justified, not excessive.
3. Authorities shouldn't approve spending that benefits themselves directly or indirectly.
4. Public funds shouldn't favor specific individuals or groups unless:
 - The expense is small.
 - Legal action could reclaim the money.
 - The spending aligns with recognized policies or customs.
5. Allowances should cover expenses adequately but not result in recipients making a profit overall.

What is the difference between Dismissal and Removal?

Dismissal	Removal
Termination of employment due to misconduct or incompetence.	Termination of employment due to unsatisfactory performance or other reasons.
Typically occurs as a result of serious violations of rules or policies.	Generally happens due to performance issues or failure to meet job requirements.

Dismissal	Removal
Usually involves immediate termination without notice.	May involve a formal process with notice and opportunity for appeal.
Often associated with serious breaches of conduct or criminal offenses.	May occur due to factors like restructuring or redundancy.
Can result in loss of benefits and entitlements.	May involve severance pay or other compensation.
Usually irreversible and permanent.	May be reversible or temporary, depending on circumstances.
Generally signifies a more severe consequence for the employee.	May be seen as less severe compared to dismissal.
Often involves a breach of trust or violation of employer's trust.	May not necessarily imply a breach of trust.
Typically requires clear evidence of wrongdoing.	May be based on performance evaluations or assessments.
Often involves immediate departure from the workplace.	May involve a notice period before leaving the job.

What is entitled a Government Servants under suspension?

When a government employee is suspended from their job, they still receive some financial support:

- They get a subsistence grant, which is half of their regular pay.
- They also receive their full house rent and medical allowance.

This financial assistance helps them during the suspension period when they're not working.

What is audit? What is the importance of audit?

Audit

Audit is a process where trained professionals review financial records, transactions, and operations of an organization to ensure accuracy, compliance with laws and regulations, and proper use of resources. It involves examining financial statements, internal controls, and procedures to provide an independent assessment of the organization's financial health and operational efficiency.

Importance of Audit:

- Ensures Accuracy: Audits help ensure that financial records are accurate and reliable, providing stakeholders with confidence in the organization's financial statements.
- Detects Errors and Fraud: Auditors identify errors, irregularities, and fraudulent activities, helping to prevent financial losses and maintain integrity.

- **Compliance Verification:** Audits verify compliance with laws, regulations, and internal policies, reducing legal risks and ensuring ethical conduct.
- **Improves Efficiency:** By evaluating internal controls and operational processes, audits identify inefficiencies and areas for improvement, leading to enhanced operational efficiency.
- **Enhances Accountability:** Audits promote transparency and accountability by holding management accountable for their stewardship of resources.
- **Facilitates Decision Making:** Audit findings provide valuable insights for decision-makers, enabling informed decision-making and strategic planning.
- **Builds Trust:** External audits conducted by independent professionals enhance credibility and trust among stakeholders, including investors, creditors, and the public.
- **Supports Continuous Improvement:** Audit recommendations drive continuous improvement by addressing weaknesses and implementing best practices.
- **Protects Assets:** Audits help safeguard assets by ensuring proper controls are in place to prevent misappropriation and misuse of resources.
- **Promotes Financial Stability:** By providing assurance on financial reporting and management practices, audits contribute to financial stability and sustainability of the organization.

What types of audit are functioning in Bangladesh?

Directorate	Functional Areas
Commercial Audit	<ul style="list-style-type: none"> • Government Parastatals • State-Owned Enterprises including Nationalised Commercial Banks and Financial Institutions
Local and Revenue Audit	<ul style="list-style-type: none"> • Revenue collecting agencies and other government departments • Local and statutory bodies, including municipalities, city corporations and universities
Defence Audit	<ul style="list-style-type: none"> • All units and formations of armed forces, inter- service organisations and offices of the defence finance department • Certification of Appropriation Accounts relating to defence
Works Audit	Expenditure relating to public works and public utilities of different ministries
Post, Telephones and Telegraph Audit	<ul style="list-style-type: none"> • All establishments of postal, telephone and telegraph departments • Certification of Appropriation Accounts of these departments
Foreign Aided Projects Audit	<ul style="list-style-type: none"> • All foreign aided projects • Certification of accounts of all foreign aided projects
Mission Audit	All overseas Bangladesh Missions, Nationalised Banks, Shipping Corporation Offices, Biman Offices situated abroad
Civil Audit	<ul style="list-style-type: none"> • Audit of the accounts of the Republic maintained in all the offices of the Controller General of Accounts • Certification of Finance and Appropriation Accounts of the Government
Railway Audit	All establishments of the Bangladesh Railway Certification of Appropriation Accounts of Railway

What are the guiding principles related to procurement.

GUIDING PRINCIPLES RELATED TO PROCUREMENT

- Right Thing
- Right Quality
- Right Quantity
- Right Place
- Right Time

Important Principle

- Fairness (No discrimination and conform to rules)
- Economy (Right thing at right price)
- Efficiency (Right time at right place)
- Transparency (letting everyone know facts/figures/process)

What is the roll of Bangladesh Bank in government accounting system?

According to the agreement executed between the Government of Bangladesh and Bangladesh Bank as per Article 20 of Bangladesh Bank Order 1972, daily statement of cash transactions with all related vouchers by the concerned branches of Bangladesh Bank after completion of government transactions to Upazila Accounts Office, District Accounts Office, Chief Accounts where applicable. Defense Office and accounts forwarded to the Comptroller General's office.

According to the Delegation of Financial Power, describe the classification of different authorities empowered to sanction expenditure.

Classification for Expenditure

Under delegation of financial power the concerned ministry/ departments attached offices & subordinate offices , program managers, coordinators & scheme managers have been categorized as follows to facilitate the implementation of programs covered by the single budget system. The MOF has delegated the power K of 104 items to class based officers while keeping the power of 33 items under its own control.

1. Ministry/Division
2. Attached Directorate / Head of department and program directors / coordinator
3. Field office heads and scheme managers are again divided into 4 categories
 - a. Divisional/regional office heads ex. 100 crore
 - b. chief Director of schemes. 50 crore-100 crore

e. District level offices - up to 50 crore

d. Upazilla level office heads

What are the details of-

(a) CGDF

The Controller General of Defense Finance in Bangladesh holds a critical role in overseeing the financial operations of the country's defense forces. They are responsible for various tasks, including budget planning, financial transactions oversight, and ensuring compliance with financial regulations within the military.

This official works closely with military leaders and government authorities to develop budgets that meet the defense sector's needs while aligning with national priorities. They allocate funds for different defense activities, such as equipment procurement, personnel salaries, and operational expenses, ensuring that resources are utilized efficiently and effectively.

One of their key responsibilities is to maintain accurate records of all financial transactions related to defense expenditures. They monitor spending to prevent fraud, waste, or misuse of funds, promoting transparency and accountability in financial management.

Additionally, the Controller General of Defense Finance prepares regular financial reports and statements to inform government officials and the public about how defense funds are being utilized. These reports help assess the effectiveness of defense spending and ensure that resources are being allocated in line with strategic objectives.

In summary, the Controller General of Defense Finance plays a pivotal role in managing the financial aspects of Bangladesh's defense sector, ensuring prudent financial management and the optimal utilization of resources to support the country's defense capabilities.

(b) CGA

The Office of the Controller General of Accounts (CGA) is an important government office that handles financial matters in Bangladesh. Here's a simple explanation:

The Office of the Controller General of Accounts (CGA) is a government department in Bangladesh. Its main job is to manage the country's finances. This means keeping track of all the money that comes in and goes out of the government.

The CGA helps prepare the government budget by figuring out how much money is needed for different things like education, health, and infrastructure. They also make sure that government departments spend money properly and follow the rules.

One of their key tasks is to keep accurate records of all financial transactions. This includes recording how much money is received from taxes and other sources, as well as tracking government spending.

The CGA also prepares financial reports to show how the government is using its money. These reports help the government and the public understand where taxpayer money is going and whether it's being used wisely.

Overall, the Office of the Controller General of Accounts plays an important role in ensuring that the government's finances are managed properly and transparently, for the benefit of the country and its people.

(c) C&AG

The Comptroller and Auditor General (CAG) of Bangladesh is an important government position that deals with finances. Here's an easy explanation:

The Comptroller and Auditor General (CAG) of Bangladesh is a key person in the government who oversees financial matters. Their main job is to make sure that the government's money is spent wisely and that everything is done fairly and according to the rules.

The CAG keeps an eye on how money is used in government departments. They check if the money is being spent on the right things and if it's being used efficiently. They also make sure that the government gets value for the money it spends.

One important task of the CAG is to audit government accounts. This means carefully examining financial records to make sure they are accurate and complete. They also check if the money was spent for the intended purposes and if it was done legally.

The CAG plays a crucial role in holding the government accountable for its financial actions. By keeping a close watch on finances, they help ensure transparency and trust in how taxpayer money is managed.

Overall, the Comptroller and Auditor General of Bangladesh helps ensure that the government spends money wisely and in the best interest of the people. They help maintain integrity and honesty in financial matters, which is vital for the country's development and well-being.

(d) ADG Finance

The Assistant Director General (ADG) of Finance in Bangladesh is an important role in the government. Here's a simple explanation:

The Assistant Director General (ADG) of Finance in Bangladesh is a person who helps manage money matters for the government. Their main job is to handle financial affairs and make sure everything is done correctly and according to the rules.

They work closely with other government officials and departments to create budgets and plans for how money will be used. This involves figuring out how much money is needed for different projects and activities.

The ADG of Finance also keeps track of spending and makes sure that money is spent wisely. They check financial records to ensure accuracy and transparency in all financial transactions.

Additionally, they help prepare financial reports and statements to show how money is being used. These reports help government leaders and the public understand how taxpayer money is being spent.

Overall, the Assistant Director General of Finance plays a vital role in ensuring that government finances are managed responsibly and efficiently, for the benefit of the country and its people.

Describe the definition of-

(a) Procuring Entity

"Procuring entity" is an organization or agency responsible for purchasing goods, services, or works. This could be a government department, a company, or any organization that needs to buy things. The procuring entity is in charge of the process of finding suppliers, negotiating contracts, and making purchases to meet its needs. They ensure that the procurement process is fair, transparent, and follows relevant rules and regulations.

(b) HOPE

Head of Procuring Entity (HOPE)" refers to the top person in charge of making purchasing decisions within an organization. They oversee the process of buying goods, services, or works for the organization.

(c) A.O.

"Authorized Officer (AO)" in procurement is someone who has been given the official power to make purchasing decisions on behalf of an organization. They have the authority to approve and oversee procurement processes, including selecting suppliers, negotiating contracts, and making purchases.

(d) A.A

"Approving authority in procurement" refers to the individual or entity responsible for granting approval at various stages of the procurement process. This authority typically lies with a designated person or committee within an organization who has the power to review and authorize procurement activities. Their role is to ensure that procurement decisions comply with relevant policies, regulations, and budgetary constraints before purchases are made.

(e) LTM

"Limited Tendering Method" is a way of choosing suppliers or contractors for a project, where the organization only invites a limited number of pre-selected suppliers to submit bids or proposals. This method is used when there are only a few qualified suppliers available for a particular project, or when the organization has specific reasons for limiting competition, such as urgency or confidentiality. It's a

way to streamline the procurement process by directly reaching out to potential suppliers without opening the bidding process to a wider pool of vendors.

(f) DCPM

"Division of Contracts and Procurement Management" is a part of an organization or company that handles the process of managing contracts and procurement activities. This division is responsible for tasks such as soliciting bids from vendors, negotiating contracts, ensuring compliance with regulations and policies, and overseeing the purchasing process from start to finish. They play a crucial role in obtaining goods, services, or works needed by the organization while adhering to budgetary constraints and legal requirements.

What are the conditions of pensionable service?

Conditions of pensionable employment

- (a) Employment should be under Government and revenue sector.
- (b) Employment should be substantive and permanent.
- (c) Employment must be satisfactory.
- (d) There should be continuity of employment

What is anticipatory pension? When this rule should be applied?

Anticipatory Pension

If due to any exigent circumstances it is not possible to finally determine or settle and grant the pension and gratuity in the manner described above, the sanctioning authority shall provisionally grant the pension and gratuity on the basis of his last pay and pensionable service, provided that the pensioner is one of the retirees. Can get pension and gratuity within months. This type of pension is called Expected Pension. [Art. 925, CSR/Rule 445, BSR]