

বোর্ড বিভাগ, সচিবালয়
বাংলাদেশ পল্লী বিদ্যুতায়ন বোর্ড
সদর দপ্তর ভবন, নিকুঞ্জ-২,
খিলক্ষেত, ঢাকা-১২২৯


স্মারক নং- ২৭.১২.০০০০.০৩০.৩১.৫৮৩.১৮. ৫০৬

তারিখঃ ১৯ মাঘ, ১৪২৪ বঙ্গাব্দ
০১ ফেব্রুয়ারি, ২০১৮ খ্রিষ্টাব্দ

দপ্তরাদেশ

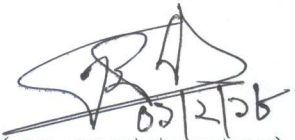
বাংলাদেশ পল্লী বিদ্যুতায়ন বোর্ডের আওতাধীন পবিস সমূহের বোর্ড সংস্কারের লক্ষ্যে সংশোধনী প্রস্তাবসহ সংশোধিত REB-PBS Model Bye-Laws (পরিষ্টি-ক, পৃষ্ঠা-২৮) অনুমোদন করা হলো।

২২/০১/২০১৮ ইং তারিখে অনুষ্ঠিত বাংলাদেশ পল্লী বিদ্যুতায়ন বোর্ডের ৫৮৩ (পাঁচশত তিরিশি) তম সভায় গৃহীত সিদ্ধান্ত নং- ১৬৩৪৩ এর ভিত্তিতে এই দপ্তরাদেশ জারী করা হলো।

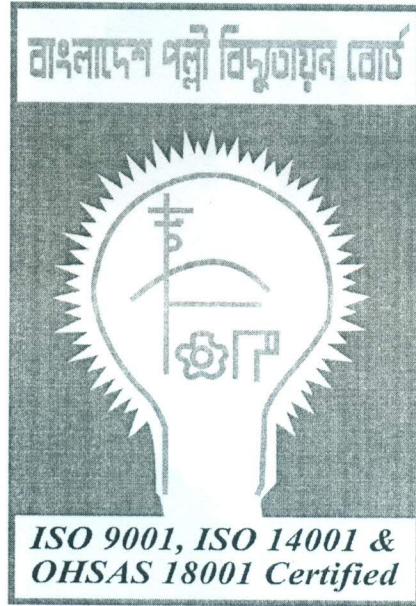

(খালেদা পারভীন)
সচিব
বাপবিবোর্ড, ঢাকা।

অবগতি ও প্রয়োজনীয় ব্যবস্থা গ্রহণের নিমিত্ত অনুলিপি(জ্যেষ্ঠতার ক্রমানুযায়ী নয়)ঃ-


- ০১। নির্বাহী পরিচালক, বাপবিবোর্ড, ঢাকা (সংশ্লিষ্ট সকলকে অবহিত করনের অনুরোধসহ)।
- ০২। পরিচালক, পবিস মনিটরিং ও ব্যবস্থাপনা পরিচালন(কেঃ অঃ/উঃ অঃ/দঃ অঃ/পূর্বাঞ্চল) পরিদপ্তর,
বাপবিবোর্ড, ঢাকা।
- ০৩। একান্ত সচিব (চেয়ারম্যান), বাপবিবোর্ড, ঢাকা।



(এস এম কামাল হোসেন)
উপ-সচিব (চঃ দাঃ)
বাপবিবোর্ড, ঢাকা।

REB-PBS MODEL BYE - LAWS




BANGLADESH RURAL ELECTRIFICATION BOARD DHAKA, BANGLADESH


০২/০২/১৬
এস এম কামাল হোসেন
উপ-সচিব (ঢঃ দাঃ)

-তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং-২৬৬৪৬

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05/2/26
এস এন খান হোসেন
উপ-সচিব (চঃ দাঃ)

৫৬৬ তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং ২৬৬৪৬









পরিশিষ্ট - ক
পৃষ্ঠা নং - ০৩/২৬

RURAL ELECTRIFICATION BOARD REB-PBS MODEL BYE-LAWS

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BANGLADESH RURAL ELECTRIFICATION BOARD PBS MODEL BYE-LAWS

ARTICLE - I NAME AND ORGANIZATION

_____ Palli Bidyut Samity (hereinafter called the Samity) is hereby organized and registered under the provisions as outlined in the Rural Electrification Board Ordinance 1977, (Ordinance No. L1 of 1977) and afterward Rural Electrification Board Act, 2013 (Act No. 57 of 2013).

ARTICLE II PURPOSE

The Samity is formed to engage in rural electrification by any one or more of the methods now or hereinafter provided or authorized by Section 8, item (g and h) and any and all other sections and provisions of the Rural Electrification Board Ordinance 1977 as well as section-6, items-ta (ট) & tha (ঠ) and any and all other sections and provisions of REB Act 2013 (Act No. 57 of 2013). People's Republic of Bangladesh. The aim of the Samity is to make electric energy available to its members at the lowest cost consistent with sound economy and good management.

ARTICLE III PLACE OF BUSINESS

The Samity shall provide electric service and transact business in the Upa-zilla of _____ District(s) of _____. It may transact business in other Upa-zillas it and when directed by the Samity Board of Directors and approved by the Bangladesh Rural Electrification Board (**herein after called the BREB**). **BREB may also includes areas directly in consistent with REB Act 2013 if necessary.**

ARTICLE IV PRINCIPAL OFFICE

The Principal office of the Samity is in the administration building, located at the headquarters complex situated within _____ Union Parishad/Pourasava/Upa-zilla, District of _____.

ARTICLE V MEMBERSHIP

Section 1. Requirements for Membership : Any person of legal age, firm, association, corporation, club or organization may become a member of the Samity upon receipt of electric service from the Samity provided that the person has first :

- Applied and made declaration in Form A of Schedule 1 of these Bye-Laws :
- Paid the membership fee of Tk. 50.00 (Fifty) PROVIDED THAT no applicant shall be deemed to have become a member unless the application in Form A mentioned herein above has been accepted by the Samity Board of Directors, (hereinafter referred to as Samity Board).
- The Samity Board shall not accept an application for membership as aforesaid unless the applicant has already become a consumer of the Samity Services by complying with all the formalities required in becoming a consumer ;

- (d) An applicant may forfeit the right to become a member of the Samity or the privilege to receive electric service if the applicant fails to begin using electric power and energy within ninety (90) days from the date Samity first completes said service facility ;
- (e) The applicant agrees to comply with and be bound by the Bye-Laws of the Samity and rules and regulations as adopted by the Samity Board from time to time ;
- (f) No member may hold more than one (1) membership in the Samity, however any member may also hold interest in an estate, corporation, partnership or other entity or organization which is a member ;
- (g) No membership shall be transferable, except as provided by these Bye-Laws ;
- (h) No person of legal age, firm, association, corporation, club or organization shall be denied membership arbitrarily or capriciously without showing good reason for such refusal.

Section 2. Membership Certificate: Membership in the Samity shall be evidenced by a membership certificate as outlined in Form B of Schedule I of these Bye-Laws and the said certificate shall be conclusive proof of the membership of the party or parties named therein. The President and Secretary of the Samity shall sign such certificate or the Samity Board may designate such other officer as, and the official seal of the Samity shall be affixed thereon. No membership certificate shall be issued for less than the membership fee fixed in these Bye-Laws, nor until such membership fee has been fully paid. In case a certificate is lost, destroyed or mutilated, a new certificate may be issued therefore upon such uniform terms and indemnity to Samity as the Samity Board may prescribe from time to time. **In absence of Samity Board or any other circumstances, BREB may designate such other officer to sign and issue the certificate.**

Section 3. Joint Membership : A husband and wife who apply for joint membership, subject to their compliance with the requirements set forth in Section 1. of this Article, may be accepted for such membership. The term member as used in these Bye-Laws shall be deemed to include a husband and wife holding joint membership, and any provisions relating to the rights and liabilities of membership shall apply equally with respect to the holders of a joint membership. Without limiting the generality of the foregoing, the following provisions shall apply in respect of joint membership :

- (a) The presence at a meeting of either or both shall be regarded as the presence of the member and shall constitute a joining waiver of notice of the meeting;
- (b) The vote of either, separately or both jointly, shall constitute one vote, but only one vote may be cast;
- (c) A waiver of notice signed by either or both shall constitute a joint waiver;
- (d) Notice to either shall constitute notice to both;
- (e) Expulsion of either shall terminate the joint membership;
- (f) Resignation of either shall terminate the joint membership;
- (g) Either, but not both, may be elected or appointed as an office bearer or director, provided the qualifications for such offices are met.

Section 4. Conversation of Membership to joint Membership :

- (a) A membership may be converted to a joint membership upon the written request of the holder thereof and the compliance by such holder and his or her spouse with the Bye-Laws and rules and regulations adopted by the Samity Board. The outstanding membership certificate shall be surrendered and shall be reissued in such manner as shall indicate the changed membership status.

- (b) Upon the death of either spouse who is a party to the joint membership, such membership shall be held solely by the survivor. The outstanding membership certificate shall be surrendered and shall be reissued in such manner as shall indicate the changed membership status, provided however, that the estate of the deceased shall not be released from any debts due the Samity.

Section 5. Membership and Application Fee : The Membership fee of the Samity shall be Tk. 50.00 (Fifty) only, upon the payment of which the applicant shall be eligible for one (1) service connection. For each additional service connection requested by any applicant, member or consumer, an application fee of an appropriate amount to be determined by BREB shall be charged.

Section 6 Purchase of Electric Energy : Each applicant shall, as soon as electric energy shall be made available, purchase from the Samity all electric energy used on the premises specified in the application for membership or service connection form, and shall pay therefore monthly at rates which shall from time to time be fixed by the Samity Board and approved by the Bangladesh Rural Electrification Board under the decision of Bangladesh Energy Regulatory Commission (BERC); Each consumer-member shall also pay all amounts owed to the Samity as and when the same shall become due and payable.


Section 7. Termination and/or cancellation of Membership : Any member may withdraw from membership upon compliance with such uniform terms and conditions as the Samity Board may prescribe from time to time. The Samity Board may, by the affirmative vote of not less than two-thirds (2/3) of all of the members of the Samity Board, expel any member who fails to comply with any of the provisions of these Bye-Laws or rules or regulations or Instructions adopted by the Samity Board, but only if such member shall have been given written notice by the Samity that such failure makes him liable to expulsion and such refusal or failure to comply shall have continued for at least ten (10) days after such notice was given.

- (a) Notwithstanding the above provisions of notification, the membership of any member shall stand automatically cancelled and the offending party shall be denied usage of electric power and energy until full restoration has been paid the Samity for any of the following offences :
- Willful and malicious damage of Samity property or equipment;
 - Diversion or theft of electric power and energy;
 - Tempering with electric meter and equipment;
 - Failure to pay the electricity bill due the Samity within a maximum period of ninety (90) days from date of the bill; or
 - To threaten, thwart or physically assault any Samity employee or officer while said employee or officer is in the act or after completing the act of discharging official duties, by any member or his dependents or associates or anyone in view of the employee or officer, on behalf of the member concerned.

The Samity Board shall impose penalties for each of the above offences consistent with established rules and regulations and in addition may initiate legal actions as prescribed in Electricity Act of 1910 and all amendments thereto or Rural Electrification Board Ordinance No. L1 of 1977 and Bangladesh Rural Electrification Board Act, 2013 (Act No. 57 of 2013) or any other legal avenue available at the time of occurrence.

- (b) Upon expulsion, death, cessation of existence or withdrawal of a member, the membership of such member shall thereupon terminate and the membership certificate of such member shall be surrendered forthwith to the Samity.

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এন এম কামাল হোসেন
উপ-সচিব (সি. নং)

৫৫৬ তম বোর্ড সভায় অনুমোদিত

সিদ্ধান্ত নং- ২৬৬৪৬

- (c) In case of withdrawal or termination of membership in any manner, the Samity shall return to the member the amount of the membership fee paid by that member, provided no debts or liabilities are due the Samity by the member.
- (d) Termination of membership in any manner shall not release a member or member's estate from any debts due the Samity.
- (e) Any member whose membership has been terminated, for whatever reason, may be reinstated through a resolution of the Samity Board, passed by the affirmative vote of not less than two-thirds (2/3) of all members of the Samity Board, upon such member's compliance with all provisions of the Bye-Laws, rules and regulations, or any other terms and conditions for reinstatement which may be adopted by the Samity Board from time to time and approved by the Bangladesh Rural Electrification Board.

Section 8. Honorary Membership : In case of nominated Lady Director(s) if it appears that she /they has /have no Electric Connection or Membership of concerned Palli Bidyut Samity, she/they will be given "Honorary Membership" of that Palli Bidyut Samity before announcement of her /their appointment. This type of Membership shall remain valid up to her / their tenure.

ARTICLE VI
RIGHTS AND LIABILITIES OF MEMBERS

Section 1. Non-liability for Debts of the Samity : The private property of the members shall be exempted from execution or other liability for the debts of the Samity. No member shall be liable or responsible for any debt or liability of the Samity.

Section 2. Easements : Each member shall, when requested, execute and deliver to the Samity such grant or grants of easement or right-of-way in, under or above the surface of all land owned by the member as may be reasonably required by the Samity, all upon such conditions and with such terms and provisions as the Samity shall reasonably require for the furnishing of electric service to such member or other members of the Samity, including but not limited to the construction, inspection, operations, maintenance, improvement, replacement or relocation of its power lines and other facilities. A resolution of the Samity Board shall be conclusive evidence as to whether the terms and provisions required by the Samity are reasonable. The Samity may also construct, operate and maintain electric transmission and distribution lines along, upon, under and across publicly owned land and public thoroughfares, including, without limitation, all roads, highways, streets, alleys, bridges and causeways as granted and/or authorized under the Rural Electrification Board Ordinance (Ordinance No. LI of 1977) and Bangladesh Rural Electrification Board Act, 2013 (Act No. 57 of 2013).

Section 3. Bye-Laws, Rules and Regulations are Contracts with patrons : The patrons of the Samity, by dealing with the Samity, acknowledge that the terms and provisions of the Bye-Laws and rules and regulations shall constitute and be a contract between the Samity and each patron. Both the Samity and the patrons are bound by such contract as fully as though such patron had individually signed a separate instrument containing such terms and provisions.

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ARTICLE VII
MEETINGS OF MEMBERS

Section 1. Annual General Meeting : The first annual general meeting of the Samity members shall be held within eighteen (18) months after the Samity has been formally or commercially energized (whichever is earlier) and annually thereafter in the month of _____ at such place within the operating area of the Samity as selected by the Samity Board and which shall be designated in the notice of the meeting. The Samity Board, by resolution, shall designate the meeting date in the designated month above. The Samity Board, by resolution, shall also be allowed to set the annual general meeting date in the one month preceding or in the one month succeeding the month designated above subject to prior approval of BREB. It shall also be the responsibility of Samity Board to make adequate plans and preparations of the annual forfeiture or dissolution of the Samity. In the event the Annual General Meeting is not held for any reason, the said meeting shall be held on a date fixed and approved by BREB.

Section 2. Special Meeting : Special meetings of the members may be called by resolution of the Samity Board, approved by two-thirds (2/3) of the members of the Samity Board or by ten percent (10%) or more or all members. It shall there-upon be the duty of the Secretary to cause notice of such meeting to be given not less than seven (7) days prior to the holding of the meeting. The notice shall be in writing and shall state the time, place and purpose of the meeting. Special meetings of the members may be held at any place within the area served by the Samity as designated by the Samity Board and shall be specified in the notice of meeting. No business shall be transacted at a Special meeting other than that stated in the purpose of the call.

Section 3. Notice of Annual General Meeting : Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting or an annual general meeting at which business other than that listed in Section 6. of this Article is to be transacted, the purpose or purposes for which the meeting is called shall be delivered not less than forty five (45) days before the date of the meeting, either personally or by mail, by or at the direction of the Secretary, or upon a default in duty by the Secretary, by the person calling the meeting, to each member. If mailed, such notice shall be deemed to be delivered when deposited with the Bangladesh Post Office and addressed to the member at his address as it appears on the records of the Samity, with postage thereon prepaid. The failure of any member to receive notice of an annual or special meeting of the members shall not invalidate any action, which may be taken by the members at any such meeting. No business may be transacted at a special meeting except that stated in the notice of said meeting.

Section 4. Quorum : So long as the total number of members of the Samity does not exceed one thousand (1,000), five percent (5%) of the total number of members present in person shall constitute a quorum for the transaction of business at all meetings of members of said Samity. When the total number of members shall exceed one thousand (1,000), two hundred fifty (250) members or five percent (5%) of the total number of members, present in person, whichever shall be the lesser, shall constitute a quorum for the transaction of business. If less than a quorum is present at any meeting of the members, a majority of those present in person may adjourn the meeting from time to time without further notice. The minutes of each meeting shall contain a list of the members present in person.

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১৯ এম কামাল হোসেন
উপ-সচিব (উঃ দাঃ)

০২/২৪

০৬৬ তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং- ২৬৬৪৬

Section 5. Voting : Each member shall be entitled to only one (1) vote upon each matter submitted to a vote at any meeting of the Samity members. All questions shall be decided by majority vote of the members present and voting, except as otherwise provided by national laws, the Rural Electrification Board Act, 2013 or other provisions of these Bye-Laws.

Section 6 . Order of Business : The Order or business at the annual meeting of the members and, so far as possible at other meetings of the members, shall be essentially as follows, except as otherwise determined by the members at such meeting :

- (a) Registration of and receiving questions from the consumer-member.
- (b) Report on the number of members present in person in order to determine the existence of a quorum.
- (c) Reading of the notice of the meeting and proof of the due publication or mailing thereof, or the waiver or waivers of notice of the meeting, as the case may be.
- (d) Reading of unapproved minutes of previous meetings of the members and the taking of necessary action thereon.
- (e) Presentation and consideration of reports of office bearers, manager and committees if there be any.
- (f) Answering the question received from the consumer-members by the concerned officer/ Director(s).
- (g) New business.
- (h) Announcement of the results of election of Samity Directors.
- (i) Adjournment.

ARTICLE VIII SAMITY BOARD

Section 1. General Powers :

- (a) The business and affairs of the Samity shall be administered by a Board of Directors which shall consist of thirteen (13) Directors. It is the Samity Board referred to herein. The Samity Board shall exercise all of the powers of the Samity except those which are by law or Bangladesh Rural Electrification Board Bye-Laws and The Electricity Act, 1910, with all amendments thereto or these Bye-Laws, conferred or vested in the members of the Samity or reserved by the Bangladesh Rural Electrification Board.
- (b) Power of the Samity Board shall be exercised only by actions and determinations taken in a regular or special called and legally held meeting of the Samity Board, with such actions and determinations recorded in the official minutes of the Samity Board meetings. The authority of each individual member of the Samity Board may be exercised only as a participant during a regular or special called and legally held meeting of the Samity Board.
- (c) No individual member of the Samity Board or group of individual members of the Samity Board shall attempt to guide, direct, influence, or interfere whatsoever in the day to day management and/or operations of the Samity unless authorized by a resolution passed by the affirmative vote of not less than two-thirds (2/3) of all members of the Samity Board, with any such resolution approved by the Bangladesh Rural Electrification Board.
- (d) Any resolution passed by the Samity Board shall come into effect subject to approval of the Bangladesh Rural Electrification Board (BREB). However, the PBS Board resolution, under the delegation of authority through PBS Policy Instruction(s), may come into effect immediately subject to post-facto approval of BREB.

- (2) The thirteen (13) Elaka Directors shall be comprised of seven (07) elected Elaka Directors from the seven (07) Elakas of the Samity, three (03) nominated Elaka Directors, and three (03) nominated Lady Directors.
- (3) The PBS/Samity shall consist of seven (07) Elakas, each of which shall have one (01) Elaka Director, either elected through direct affirmative vote of respective consumer-members, or nominated by BREB as and when necessary.

Section 2. Election and Tenure :

- (a) The persons named as Directors of the Samity Board in the application for registration of the Samity shall compose the Samity Board until the first annual meeting or until their successors have been elected and qualified in accordance with these Bye-Laws. A newly elected Director shall be elected for a term of three (3) years from the date of announcement or date of oath and his position will automatically be vacant after completion of his three (3) years term or after concluding of his third (3rd) Annual General Meeting whichever is earlier.
- (b) Each newly elected Director shall become a voting member of the Samity Board at the conclusion and upon the date of the annual meeting in which the newly elected Director(s) name is announced.
- (c) A Director shall be elected for a term of three (3) years PROVIDED THAT in the first election, one-third (1/3) of the total number of Directors named in the Application for registration documents shall stand for election. The Samity Board shall designate the Elakas which are to hold elections for the position of Director by selecting those Elakas which have the greatest number of connected members; PROVIDED THAT no Elaka may elect a Director until it has a minimum of one hundred (100) members receiving electric service. Prior to holding the second annual meeting, another one third (1/3) of the remaining two-third (2/3) of the original named Directors shall stand for election, based on the same methods and principles as above written. In advance of holding the third annual meeting, the remaining one- third (1/3) of those Directors named in the application for registration documents shall stand for election from the remaining Elakas.”
- (d) For the purpose of holding Director Elections, the Bangladesh Rural Electrification Board shall designate an Election Commission. The Election Commission shall select and announce the date of election, supervise the holding of election, count the ballots cast and announce the results at the close of the scheduled annual meeting. Directors may be elected by a plurality vote of the members. There shall be no runoff election. In the event of a tie vote between candidates for the position of Director, the winner shall be determined by lottery method as specified by the Election Commission. The Election Commission shall select and fix the date Elaka election is to be held. Any day **at least** fourteen (14) days immediately prior to the day of the annual meeting may be selected by the Election Commission, PROVIDED FURTHER THAT if due to unforeseen condition or for any reasons beyond the control of the Election Commission, such election or elections could not be held on the date so fixed, the Election Commission shall have the authority to prefix the date of election to any other date prior to the date of the annual meeting. The Election Commission shall follow the procedures for conducting Director Elections as specified by the Bangladesh Rural Electrification Board from time to time.
- (e) Provided that for the purpose of this clause, each special interest group such as tea gardens, **Export Processing Zone (EPZ), Economic Zone or other economically important group, located within the geographical area of the Samity which is contributing revenue for Samity in a large scale and viable the Samity in a good condition** shall collectively be deemed to constitute one Elaka within the meaning of these

Bye-Laws. The management of such type special interest group, irrespective of the number of individual operations within any given special interest group located in the Samity area, shall nominate two (2) candidates from within their respective special interest group as a prospective Samity Board member. The Samity Board shall appoint one (1) of the nominated candidates as a voting member of the Samity Board based upon such terms, qualifications, conditions and tenure as the Samity Board may determine and approved by the Bangladesh Rural Electrification Board. This directorship position shall be known as Director at Large; PROVIDED HOWEVER, that appointment of such Director at Large shall not be cause, nor grant authorization to exceed the **Thirteen (13)** Director limitations as elsewhere herein established.

- (f) Notwithstanding item (e) hereinabove, any member of the Samity may become a candidate for the office of Director by submitting to the PBS Election Commissioner or his authorized representative a petition not less than thirty (30) days prior to the holding of the election, to be proposed by one (1) bonafide member and seconded by two (2) other bonafide members of the Samity residing in his Elaka. The proposer and the seconders must submit a declaration to the effect that they have not proposed or seconded (as the case may be) any other candidature for the aforesaid purpose. The said candidate, proposer and the seconder must be present in person at the time of submitting petition to the Election Commissioner or his authorized representatives.
- (g) The name of each candidate shall be posted in the registered office of the Samity not less than twenty (20) days prior to date of election.
- (h) After scrutinizing the nomination papers of each prospective candidate which has filed for election as Director, and if there appears to be no qualified candidate for the election to be held in a particular Elaka, no election shall be held for the Elaka, PROVIDED THAT if the Samity Board shall deem it necessary, it may, with the approval of the Bangladesh Rural Electrification Board, nominate within three (3) months following the annual meeting, one (1) of the eligible consumer-members of that Elaka to serve as Director Representative for that Elaka, PROVIDED FURTHER THAT in the following year, the election for Director of that Elaka shall take place for the term remaining unimpaired.
- (i) Nothing hereinabove shall preclude an incumbent Director, whose present tenure of office is ending, to seek re-election under the same terms, conditions and qualifications as those listed elsewhere under this Article.
- (j) Notwithstanding herein above, a Director or **Elaka Director** or Lady Director shall hold his or her office not more than 03 (three) terms.

Section 3. Qualification: Each year, following the first annual meeting of the Samity, qualified members of the Samity shall be elected to serve as Samity Directors for a 3(three) year term to fill vacancies caused by the expiration of the incumbents of term of office. Each qualified member of the Samity elected as a Samity Board Member shall be elected by the membership from the Elaka he/she represents, to serve until the adjournment of the annual meeting held in his/her third year in office. NOW THEREFORE BE IT RESOLVED:

- A. No person shall be qualified as a candidate for the office of Samity Director unless he/she meets the following criterion:
- (1) is a bonafide member of the Samity ;
 - (2) Is between **Twenty five (25)** and sixty five (65) years of age at the time of election as per matriculation/S.S.C. or equivalent examinations certificate and affidavit in this regard shall not be accepted ;
 - (3) is supported as a candidate for the office of the Samity Director, in writing, by not less than 2 (Two) Samity members receiving service in the Eleka which is to be

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সিদ্ধান্ত নং - ০৬৬৪৬
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represented by the candidate and PROVIDED THAT no Samity member shall sign or support in writing for more than 01 (one) candidate for the office of Samity Director of the Samity member's Elaka in the same election ;



- (4) has passed S.S.C. or equivalent from any recognized School/Board/University, PROVIDED THAT if any question shall arise as to what is equivalent and what is not, the matter shall be referred to the Bangladesh Rural Electrification Board and the decision of the Bangladesh Rural Electrification Board in that respect shall be final and conclusive,
- (5) is a Permanent resident of the Elaka for which he/she seeks election.


B. (a) No person shall be eligible to become or remain a Samity Board Director who:

- (1) is not a bonafide resident of the area for which his/her Samity has been registered ;
- (2) Is in any way employed by or financially interested in a competing enterprise or any business selling electric energy, or supplies to the Samity or Bangladesh Rural Electrification Board, or any business primarily engaged in selling electrical or plumbing appliances, fixtures or supplies to the members of the Samity or the Bangladesh Rural Electrification Board or **is involved or involved in past** in any type of house wiring or construction or any other business or service for consumer/consumer-members under the license/work-permit.
- (3) has been convicted of a crime involving moral turpitude ;
- (4) has been relieved or removed or dismissed from Govt., Semi-Govt., Autonomous bodies or Palli Bidyut Samity employment or relieved or **removed** from office by the Bangladesh Rural Electrification Board or Samity Board.
- (5) is, at the time of election or during the elected term of office, becomes an office bearer of any political party or political organization.
- (6) is holding an office in any local governmental agency for which any remunerations, honorarium or salary from such local government agency, or if any public funds are received or entitled to receive for any personal services rendered ;
- (7) is in active Government service or in any service of any organization wholly or in part owned by government ;
- (8) becomes a candidate for public office at any time during his/her term of office as Samity Director.
- (9) Has completed the tenure of 3(three) terms as Samity Board Director/**Elaka Director**/Lady Director.
- (10) is defaulter in paying any sort of electricity bills payable against any of his/her electricity connection or connections or dues, even those against PDB/DESA or any other distribution agency connection (in case of taken over lines) 90 (ninety) days prior to Annual General Meeting.
- (11) Served as an employee of PBS **contractual** service.

- (b) Upon establishment of the fact that a Samity Director is holding office in violation of any of the foregoing provisions, the Samity Board shall undertake all necessary actions to remove such Samity Director from office. However, BREB shall also undertake all necessary action(s) to remove such Samity Board Director(s) from office upon establishment of above fact(s).


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এস এম কামাল হোসেন
উপ-সচিব (চঃ দাঃ)

৫৬৬ তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং- ২৬৬৪৬

02. Nominated Elaka Director(s)

- (a) The BREB shall, immediately after adjournment of the annual meeting of the members, nominate and appoint from among the different sections/classes/professions of the consumer-member populous of the Samity, a maximum of Three (3) men who shall assist and advise the Samity Board with reference to the views, concerns and desires of the good business practice of the Samity.
- (b) The said nominated appointee(s) shall bear good moral character; have a reputation of honesty, regular payee of electricity bill, and among the teachers, entrepreneurs /businessmen, retired govt./semi-govt./PBS officers.
- (c) The appointee(s) shall be known as "Elaka Director" and shall be accorded the same courtesies and respect as any Director and shall sit with the Samity Board in its' meetings the right to vote on any question placed to the Samity Board.

03. Terms of Business of Nominated Elaka Director(s)/Lady Director(s)

- (a) The Elaka Director and/or Lady Director shall serve for a period of 3 (Three) years from the date of appointment or until the first meeting of the Samity Board following the next succeeding annual meeting of the members or until a successor shall have been appointed. However in the case when the annual general meeting of the members is not held in any reason, the term of the Nominated Elaka Director(s)/Lady Director(s) shall immediately end for which he/she is nominated, and BREB shall immediately nominate or take appropriate measures in order to run the smooth business of the Samity Board
- (b) The appointee(s) shall be a resident of the Samity service area, have a reputation of honesty, be of good moral character, be between Twenty Five (25) and Sixty Five (65) years of age at the time of appointment and shall have passed SSC or its' equivalent from any recognized School/Board/ University.
- (c) No member of the Samity Board Director/Nominated Elaka Director(s)/Lady Director(s) may serve or make application for employment of any position within the PBS while serving as a Director.

04. Procedure for appointing Nominated Elaka Director(s)/Lady Director(s)

- (a) BREB shall appoint a committee who shall collect bio-data of three (03) prospective persons for each positions of the Nominated Elaka Director(s) from amongst the male populous of consumer-members. The said committee shall also collect bio-data of three (03) prospective persons for each positions of the Nominated Lady Director(s) from amongst the female populous of consumer-members securing one-third Elaka of the Samity as per decision of the Samity Board and/or BREB.
- (b) The recommending three (3) persons for each position shall be forwarded to concerned Directorate of PBS Monitoring and Management Operations, BREB at least three months before the annual meeting requesting BREB to approve one bio-data for each position for the purpose of nominating Elaka Director(s) and/or Lady Director(s).
- (c) Appointment of the said Director(s) shall be accomplished through taking of oath during the board meeting which is to be held immediately following adjournment of the Annual Meeting.
- (d) However prospective Elaka Director(s)/Lady Director(s) shall be introduced by the President of the Samity to the Members of the Samity attending the Annual Meeting immediate after declaration of the results of the election by the Election Commission.

Section 7. Compensation : Directors, Elaka Directors and Lady Director(s) shall not receive any salary for their services as such, except that the Bangladesh Rural Electrification Board may by policy instruction, authorize a fixed sum for each day or portion thereof spent on Samity business, such as attendance at meetings of the Samity Board, training programs or performing committee assignments when authorized by the Samity Board and /or the

- (c) Nothing contained in this Section shall affect in any manner whatsoever the validity of any action taken at any meeting of the Samity Board during the tenure of the aforesaid Samity Director.

Section 4. Complaints Against Director : Any bonafide member of the Samity may bring charges against any Director by filing with the Secretary of the Samity such charges in a written and sworn statement. Upon receipt of such complaint, the Secretary shall refer the matter to the Samity Board. The Samity Board shall, within fifteen (15) days from date of receipt, place the matter to an Arbitration Council which shall determine the validity of said charges. Within thirty (30) days after receipt of the complaint from the Samity Board, the Arbitration Council shall report its findings to the Samity Board for final action. The Arbitration Council shall be composed of three (3) members; one (1) shall be a designated Director from the Samity Board, one (1) shall be a representative of the Bangladesh Rural Electrification Board and one (1) shall be a bonafide member of the Samity who shall be from the same Elaka represented by the Director so charged. The Samity member shall possess a reputation of honesty, good moral character and who is acceptable to all parties concerned. The Arbitration Council shall function solely as a fact finding body and report to the Samity Board all relevant facts relating to the charges filed, based solely upon the evidence presented in respect of the charges listed in the written and sworn statement. Both the Director charged and the Samity member who has filed the complaint shall be accorded the opportunity to be heard in person during the Arbitration Council's deliberations.

The Samity Board shall, after receiving the Arbitration Council's report and if that report establishes merit in the complaint so filed, by resolution approved by two-thirds (2/3) vote of all Directors of the Samity Board, except that Director named in the complaint, may give warning or suspend or remove the Director in question within thirty (30) days. In case of failure in taking decision by the Samity Board within the stipulated period the PBS Management shall immediately forward the same report to the PBS Management Operation Directorate for decision along with the reason.

Section 5 : Vacancies : Subject to the provisions of these Bye-Laws with respect to the filling of any vacancy occurring in the Samity Board due to death, incapacity, disability, removal, resignation or any other similar causes, vacancy shall be filled by the affirmative vote of the majority of the remaining Directors for the unexpired portion of the term of the Directors in respect of whom the vacancy occurs. In addition, any vacancy occurring in the Samity Board, including any vacancy created by the reason of an increase in number of Directors, or a vacancy occurring because the Director is not a member and bonafide resident of the Elaka that he or she represents, may be filled by the affirmative vote of a majority of the remaining Directors, even though less than a quorum of the Samity Board remains. Any Director elected to fill a vacancy shall hold office only until the next election of the Directors by the Samity members. Each individual Samity member elected or appointed as a member of the Samity Board shall require the approval of the Bangladesh Rural Electrification Board prior to assuming the office.

Section 6. Samity Board Nominated Lady Director(s):

01. Nominated Lady Director(s)

- (a) The BREB shall, immediately after adjournment of the annual meeting of the members, nominate and appoint from among the different sections/classes/professions of the female populous of the Samity, a maximum of Three (3) women who shall assist and advise the Samity Board with reference to the views, concerns and desires of the female members of the Samity Board.
- (b) The appointee(s) shall be known as "Lady Director" and shall be accorded the same courtesies and respect as any Director and shall sit with the Samity Board in its meetings the right to vote on any question placed to the Samity Board.

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উপ-সচিব (ঢঃ দাঃ)

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৯৬-তম বোর্ড সভায় অনুমোদিত

Bangladesh Rural Electrification Board. No Director or **Elaka Director** or Lady Director(s) shall receive compensation for serving the Samity in any other capacity nor shall any close relative of a Director or **Elaka Director**. Lady Director receive compensation for serving the Samity unless the payment and amount of the compensation shall have been specifically authorized by a vote of the Samity membership or the service performed by the Director or **Elaka Directors**. Lady Director or their close relative shall have been certified by the Samity Board as an emergency measure. In either or both situations described hereinabove, approval must be received from the Bangladesh Rural Electrification Board in advance thereof, (close relative shall include; grandfather, grandmother, father, mother, brother, sister, son, daughter, nephew, niece, grandchild, grandnephew, grandniece, uncle, aunt and first cousins).

Section 8. Executive Committee: The Samity Board may provide for an executive committee, which shall be composed of the office bearers. To such committee may be delegated the oversight of the current and ordinary business of the Samity. The existence and action of such committee and the delegation of authority thereto shall not operate to relieve the Samity Board or any member thereof from any responsibility imposed upon it or him by national law or these Bye-Laws. **However in case if the annual general meeting of the members or thereafter the meeting of the Samity Board members is not held or postponed or suspended in any reason BREB shall immediately constitute an executive committee or take any other measures in order to run the smooth activities of the Samity Board.**

Section 9. Other Committees: The Samity Board may provide for other committees to be appointed, either by itself or by the President, to act in an advisory or executive capacity or in any other specified capacity or function and to make such reports as the Samity Board may require for information as deemed necessary. The existence and action of any committee and the delegation of authority thereto shall not operate to relieve the Samity Board or any member thereof from any responsibility imposed upon it or him by national law or these Bye-Laws.

ARTICLE IX MEETINGS OF THE SAMITY BOARD

Section 1. Regular Meetings : A regular meeting of the Samity Board shall be held without notice immediately after, and at the same place as, the annual meeting of the membership. A regular meeting of the Samity Board shall also be held monthly at the principal office of the Samity and on such day of the month and at such time of the day as determined by the Samity Board from time to time.

Such regular monthly meetings may be held without notice other than such resolution fixing the date and time thereof. Information listing date and time of the Samity Board meetings may be posted for general information of the Samity members at the principal office of the Samity at least two (2) days prior to date of said meeting along with agenda and relevant documents.

Section 2. Special Meetings: Any three (3) Directors may call by the President or special meetings of the Samity Board and it shall thereupon be the duty of the Secretary to cause notice of such meetings to be given as hereinafter provided. The President or the Directors calling the meeting shall fix the time and place for holding of the meeting. Any type of special meeting shall require prior approval of BREB.

Section 3. Notice of Special Meetings of Samity Board : Written notice of the time, place and purpose of any special meeting of the Samity Board shall be delivered not less than two (2) days previous thereto, either personally or by registered mail, by or at the discretion of the Secretary, or upon default in duty by the Secretary, by the President or the Directors calling the meeting, to each Director. If mailed, such notice shall be deemed to have been delivered

when deposited in the Bangladesh Post Office, and addressed to the Director at the address as it appears on the records of the Samity, with postage thereupon prepaid.

Section 4. Quorum : A majority of the Samity Board shall constitute a quorum, provided that if less than such majority of the Samity Board is present at said meeting, a majority of the Samity Board present may adjourn the meeting from time to time and provided further that the Secretary shall notify any absent Director (s) of the time and place of such adjourned meeting. The act of the majority of the Directors present at a meeting in which a quorum is present shall be the act of the Samity Board except as otherwise provided in these Bye-Laws.

**ARTICLE X
OFFICE BEARERS**

Section 1. Number : The office bearers of the Samity shall be a President, Vice-President, Secretary, Treasurer and such other office bearer(s) as may be determined by the Samity Board from time to time and approved by the Bangladesh Rural Electrification Board.

Section 2. Election and Term of Office :

- (a) The office bearers shall be elected by secret ballot each year by and from the Samity Board members at the meeting of the Samity Board which is to be held immediately after the adjournment of the annual meeting of the Samity members at which the results of the election of Directors have been announced. Each office bearer so elected shall hold office until the first meeting of the Samity Board following the next succeeding annual meeting of the members, or until such officer's successor shall have been elected and shall have been qualified. If the election of office bearers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently possible. The prescribed manner of electing office bearers shall be issued from time to time through Policy Instructions approved by the Bangladesh Rural Electrification Board. A vacancy occurring in any office shall be filled by the Samity Board for the unexpired portion of the term from among the remaining Directors; PROVIDED HOWEVER that in the event of vacancy being caused in the office of the Secretary, the Treasurer of the Samity Board shall act as temporary Secretary pending the election of a new Secretary. If a vacancy should occur in the office of the Treasurer, the Secretary of the Samity Board shall serve as temporary Treasurer pending the election of a new Treasurer. The method or methods that are to be followed during the election of office bearers shall be stipulated in a Policy Instruction issued by the Bangladesh Rural Electrification Board and shall be adhered to in its entirety.
- (b) No Samity Board member shall hold office of the President of Samity Board more than two consecutive terms.

Section 3. Removal/Suspension of office bearer(s) and Board Director or Elaka Director or Lady Director:

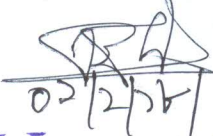
- (a) Any office bearer or Board Director or Elaka Director or lady Director or Board Member elected or approved by the Samity Board may be suspended or relieved or removed by the Samity Board as and if authorized by competent authority, whenever the best interest of the Samity will be served thereby. FURTHERMORE, Bangladesh Rural Electrification Board may suspend or dissolve or relieve or remove or replace any office bearer(s) or Board Director or Elaka Director or Lady Director or the entire Samity Board, all in total or individually, if in the opinion of the Bangladesh Rural Electrification Board the conduct and/or actions of the said office bearer(s) or Board Director or Elaka Director or Lady Director or the entire Samity Board is/are detrimental to the interest of the Samity or if the affairs and business of the Samity is being managed badly such as:
- (1) PBS Board Director(s) or Elaka Director(s) or Lady Director(s) influence(s) or interfere(s) any day to day functions of the PBS Management ;


- (2) PBS Board Director(s) or Elaka Director or Lady Director(s) involve(s) or interfere(s) illegally at personal level in line construction and/or new consumer connection(s) or consumer complaints at his own illegal interest.
- (3) PBS Board Director(s) or Elaka Director or Lady Director(s) commits misconduct or misbehavior with the PBS or BREB employee(s);
- (4) PBS Board Director(s) or Elaka Director(s) or Lady Director(s) involve(s) in any type of corruption in the PBS.
- (b) The Bangladesh Rural Electrification Board may suspend or remove the Samity Board or suspend or remove a Director or Directors for such time as may be considered necessary for the purpose of restoring order and efficiency in the management of the Samity.
- (c) When in the opinion of the Bangladesh Rural Electrification Board it becomes impossible to carry out the purpose of the Electrification by the suspension of the Samity Board, it may dissolve the Samity Board and nominate a new Board of Directors to carry out the function of the Samity Board pending the election of a new Board of Directors in the next annual meeting.
- (d) When it is determined by Samity Board or the Bangladesh Rural Electrification Board that the affairs and business of an Elaka is being badly represented by a Director or the conduct of a Director becomes such as to be detrimental to the interest of the Palli Bidyut Samity, the offending Director shall be relieved or removed from his or her responsibilities and another person from the same Elaka in which the vacancy occurs shall be nominated to fill the vacancy so caused, pending the election of a Director for the unexpired term. If the individual Director removed or relieved from the Board is also an office bearer of the Samity Board, the office shall automatically become vacant with effect from the time and date the individual is relieved or removed as Director and the Samity Board shall as soon as possible, elect a member from among the remaining Directors to the vacated office during a regular or special meeting of the Samity Board. BE IT FURTHER PROVIDED THAT in the absence of a Samity Board due to suspension, dissolution or any other reason the Bangladesh Rural Electrification Board shall exercise all powers, functions and authority and shall discharge all responsibilities accorded to the Samity Board.

Section 4. President: The President shall;

- (a) be the principal executive office bearer of the Samity and unless otherwise Determined by the members or the Samity Board, shall preside at all meetings of the members and the Samity Board;
- (b) sign, with the Secretary, certificates of membership, the issue of which shall have been authorized by the Samity Board or the Samity members, and may sign any deed, mortgage, deed of trust, note, bond, contract or other instruments authorized by the Samity Board to be executed, except in cases in which the signing and execution thereof shall be expressly reserved to the Bangladesh Rural Electrification Board or delegated by the Samity Board or by these Bye-Laws to some other office bearer or agent(s) of the Samity, or shall be required by law to be otherwise signed or executed; and
- (c) in general, perform all duties incidental to the office of the President and such other duties as may be prescribed by the Samity Board and the Bangladesh Rural Electrification Board from time to time.


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এস এম কামাল হোসেন
উপ-সচিব (স্ব. নং)


০৬-৬-তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং--২৬৬৪৬

Section 5. Vice-President: In the absence of the President, or in the event of his in-ability to act, the Vice-President shall perform all duties of the President, and when so acting shall have all the powers thereof, and be subject to any and all restrictions upon the President. The Vice-President shall also perform such other duties from time to time as may be assigned to the Vice-President by the Samity Board or the Bangladesh Rural Electrification Board.

Section 6. Secretary: The Secretary shall be responsible for: -


- keeping the minutes of the meetings of the members and of the Samity Board in one (1) or more books provided for that purpose and kept stored in a secured file within the administrative office of the Samity;
- ascertaining that all notices are duly given in accordance with these Bye-Laws or as may be required by national laws ;
- the safekeeping of the accounts, records and the seal of the Samity and affixing the seal of the Samity to all certificates of membership prior to the issuance thereof and to all documents, the execution of which on behalf of the Samity under its seal is duly authorized in accordance with the provisions of these Bye-Laws ;
- keeping a register of the names and post office address of all members ;
- signing, with the President, certificates of membership the issuance of which shall have been authorized by the Samity Board ;
- keeping on file at all times a true and complete copy of the Bangladesh Rural Electrification Board Bye-Laws, the Samity Registration Documents and the Bye-Laws of the Samity, containing all amendments thereto (which copy shall always be open to the inspection of any member), and at the expense of any member so requesting, furnish a copy of the Bye-Laws with all amendments thereto ; and
- in general, performing all duties incident to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Samity Board or the Bangladesh Rural Electrification Board.


Section 7. Treasurer : The Treasurer shall be responsible for :-

- assuring proper custody and accounting of all funds and securities of the Samity ;
- assuring the proper receipt of and the issuance of receipts for all taka due and payable to the Samity and for the deposit of all such take in the name of the Samity in such bank or banks as shall be selected by the Samity Board in accordance with Policies, guidelines and directives to be issued by the Bangladesh Rural Electrification Board from time to time.
- the general performance of all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to the Treasurer by the Samity Board or the Bangladesh Rural Electrification Board.

Section 8. General Manager/Departmental Heads and other employees :

- The general Manager shall be the Chief Executive of the Samity. All management functions of the Samity activities shall be vested in a Senior General Manager/ General Manager who will be appointed by the Samity Board with approval of the Bangladesh Rural Electrification Board provided BREB will not approve of such appointment unless the appointee shall be a person not ordinarily a resident of the area for which the Samity has been registered. The Senior General Manager/ General Manager shall be responsible to the Samity Board as well as to the BREB for the performance of his duties as stipulated by the Samity Board from time to time with the approval of Bangladesh Rural Electrification Board.


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উপ-সচিব (উঃ দাঃ)


১৬-৬ তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং- ২৬৬৪৬

- (b) The General Manager shall exercise such powers and perform such functions as may from time to time be prescribed by the Samity Board within the framework of PBS Policy Instructions, directives and guidelines issued by the Bangladesh Rural Electrification Board.
- (c) If at any time the Bangladesh Rural Electrification Board is of the opinion that the conduct and actions of the General Manager is detrimental to the interest of the Samity, the Bangladesh Rural Electrification Board may withdraw and place the services in another PBS, attach with REB, suspend, remove, dismiss or terminate the Senior General Manager/ General Manager without the concurrence of the Samity Board. The Senior General Manager/ General Manager may also be suspended, removed, dismissed or terminated by the Samity Board with the approval of BREB.
- (d) Following registration of the Samity, if at any time, either pending selection and appointment or due to illness, resignation or for any reason, the position of Senior General Manager/ General Manager of the Samity becomes vacant, the Rural Electrification Board may depute any officer to serve as General Manager of the Samity upon such terms and conditions as the Bangladesh Rural Electrification Board determines appropriate.
- (e) There shall be Additional General Manager, Deputy General Manager (where there is Zonal Office) and Departmental Managers of the Samity to be appointed by General Manager with the approval of the Samity Board and the Bangladesh Rural Electrification Board. The Samity Board or the Bangladesh Rural Electrification Board shall not approve of such appointment unless the appointee is a person not ordinarily a resident of the area for which the Samity has been registered. The Senior General Manager/ General Manager shall comply with the BREB approved Policy Instructions and Guidelines adopted and issued by the Samity Board from time to time for such appointment. If at any time the Bangladesh Rural Electrification Board is of the opinion that the conduct and action of the Deputy General Manager/Departmental Manager/ any officer is detrimental to the interest of the Samity, the Bangladesh Rural Electrification Board may withdraw and place the services in another PBS, to attach with BREB, suspend, remove, dismiss or terminate the Additional General Manager, Deputy General Manager/Departmental Manager without the concurrence of the Samity Board. The Additional General Manager, Deputy General Manager may also be suspended, removed, dismissed or terminated by the PBS General Manager with the approval of the Samity Board and the Bangladesh Rural Electrification Board. If at any time, either pending appointment, or due to employee's resignation, illness, removal or for any reason, a post of Deputy General Manager/Departmental Manager becomes vacant, the Bangladesh Rural Electrification Board may, when in its opinion, the best interest of the Samity will be served, depute an officer to act in the capacity of a Deputy General Manager/Departmental Manager of the Samity upon such terms and conditions as may be determined from time to time by the Bangladesh Rural Electrification Board.
- (f) Other employees of the Samity will be appointed by the General Manager directly on the basis of merit, as per Policy Instruction and guidelines issued by the Samity Board from time to time with approval of Bangladesh Rural Electrification Board provided the appointee is not a resident of the service area for which the Samity has been registered; provided further that this restriction may be waived in only cases of suitable female candidates and Mali & sweepers when such candidates are not available from outside the PBS service area. Provided further that the Bangladesh Rural Electrification Board shall have the same authority as to deputation in order to fill a vacancy due to whatever cause at any position within the Samity's workforce and in the same manner as in the case of General Manager or Departmental Heads of the Samity.











তম বোর্ড সভায় অনুমোদিত

০১/১৮

এস এম কামাল হোসেন

সিদ্ধান্ত নং- ২৬৬৪৬

উপ-সচিব (সঃ সঃ)

- (g) Subject to the herein provisions, other terms and conditions of employment of all officers and employees of the Samity including pay scales, fringe benefits, allowances and other emoluments shall be governed by the Service code of the Samity, which are to be formulated by the Samity Board from time to time and subject to approval by the Bangladesh Rural Electrification Board.
- (h) The Samity Board, subject to approval of the Bangladesh Rural Electrification Board, shall be responsible for creating posts, status, ranks and positions and fixing grade thereof in respect of the employees and officers of the Samity.

Section 9. Bonds : The Samity Board shall require the Treasurer or any other officer or employee of the Samity charged with responsibility for custody of any of its funds or securities to give bond in such sum and with such surety as the Samity Board shall determine. The Samity Board, in its discretion, may also require any other Director, agent or employee of the Samity to give bond in such amount and with such surety as it shall determine.

Section 10. Reports : The office bearers of the Samity Board and the General Manager shall submit at each annual meeting of the Samity members, reports covering the business affairs for the previous fiscal year. Such reports shall disclose the condition of the Samity at the close of such fiscal year.

ARTICLE XI NON-PROFIT OPERATION

The Samity shall at all times be operated on a co-operative and non-profit basis for the mutual benefit of all its members and non-members alike. The rates, fees, rents or other charges for electric energy and other facilities, supplies, equipment or services furnished by the Samity shall be set by the Samity Board or in accordance with policies established by it with concurrence of the Bangladesh Rural Electrification Board, and shall provide sufficient funds at all times which shall be used:

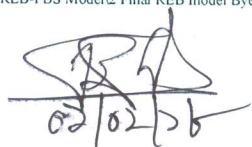
- (a) to pay all operating and maintenance expenses necessary or desirable for the prudent conduct of its business and the principal of and interest on the obligations issued or assumed by the Samity in the performance of the purpose for which it was organized ; and
- (b) for the creation of reserves permitted by law and which may be prescribed by the Samity Board from time to time and approved by the Bangladesh Rural Electrification Board, PROVIDED HOWEVER, no interest or dividends shall be paid or shall be payable by the Samity to any Samity member, consumer or patron.

ARTICLE XII FINANCIAL, TRANSACTIONS

Section 1. Accounting System and Audits : The Samity Board shall cause to be established and maintained a complete accounting system which, among other things, and subject to applicable laws and rules and regulations, shall conform to such accounting system as may from time to time be designated by the Bangladesh Rural Electrification Board. The Samity Board shall also, after the close of each fiscal year, cause to be made by a Chartered Accountant, a full and complete audit of the accounts, books and financial condition of the Samity as of the end of such fiscal year. A report of such audit shall be submitted to the Samity members at the annual meeting next following the end of the fiscal year covered by the report. A copy of this report along with the annual financial statement shall be submitted to the Bangladesh Rural Electrification Board following the annual meeting, but not later than six (6) months from date of audit. In addition to any audit or audits made by a Chartered Accountant, the Bangladesh Rural Electrification Board may, by use of its' own staff, audit the affairs of the Samity from time to time.

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০২/০২/১৮

এস এম কানাল হোসেন
উপ-সচিব (টঃ দাঃ)



০৬-তম বোর্ড সভায় অনুমোদিত

সিদ্ধান্ত নং-২৬৬৪৬

Section 2. Contracts: Except as otherwise provided in these Bye-Laws, the Samity Board may, with approval of the Bangladesh Rural Electrification Board, authorize any office bearer, agent or agents, employee or employees, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Samity, and such authority may be general or confined to specific instances.

Section 3. Cheques, Drafts etc. : Except when otherwise provided by national law, or in these Bye-Laws, all cheques, drafts or other orders for the payment of taka, and all notes, bonds or other evidence of indebtedness issued in the name of the Samity shall be signed and/or countersigned by such office bearer, agent or agents, employee or employees of the Samity, and in such manner as shall from time to time be determined by resolution of the Samity Board and approved by the Bangladesh Rural Electrification Board.

Section 4. Deposits : All funds, except petty cash, of the Samity shall be deposited from time to time to the credit of the Samity in such bank or banks as the Samity Board may select, subject to approval of the Bangladesh Rural Electrification Board.

Section 5. Change in Electric Rates : Any change in the rates charged by the Samity for electric energy supplied to its patrons shall require approval of the Bangladesh Rural Electrification Board prior to implementation.

Section 6. Fiscal Year : The fiscal year of the Samity shall begin on the first day of July (1st July) each year, end shall and on the thirtieth day of June (30th June) in the succeeding year.

ARTICLE XIII
MISCELLANEOUS

Section 1. Membership in Other Organization : The Samity may, upon the approval of the Bangladesh Rural Electrification Board, purchase stock in or become a member of any other Palli Bidyut Samity, Co-operative, Corporation or organization organized on a non-profit basis for the purpose of engaging in or furthering the cause of rural electrification, or any other organization for the purpose of acquiring, developing or promoting the best interest of the Samity's facilities.


Section 2. Waiver of Notice : Any Samity member or Samity Director may waive in writing any notice of a meeting required to be given by these Bye-Laws. The attendance of a Samity member or Samity Director at any meeting shall constitute a waiver of notice of such meeting by such Samity member or Samity Director, except in case a Samity member or Samity Director shall attend a meeting for the express purpose of objecting to the transaction of any business because the meeting shall not have been lawfully called or convened.

Section 3. Policies, Rules and Regulations : The Samity Board shall have power to make and adopt such policies, rules and regulations, which are not inconsistent with national law, the Electricity Act of 1910, the Bangladesh Rural Electrification Board Bye-Laws these Bye-Laws or the Rural Electrification Board Act, 2013, as it may deem advisable for the management, administration and regulation of the business and affairs of the Samity.

Section 4. Area Coverage : The Samity Board shall make diligent effort to see that electric service is extended to all unserved persons within the Samity service area who shall (a) desire such services and (b) meet all reasonable requirements established by the Samity as a condition of such service, provided the financial position of the Samity will not be impaired thereby.

Section 5. Exclusion-Inclusion of Service Area : The Samity Board, with prior approval of the Bangladesh Rural Electrification Board, may include or exclude any part of an area adjacent to the Samity within the same existing geographical area.

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০২/২/১৬
এস এন কামাল হোসেন
উপ-সচিব (উঃ দাঃ)

২৬৬-তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং-- ২৬৬৪৬

Any member or Samity Director who is a resident of an Elaka which is excluded from the service area of the Samity shall be required to forfeit his or her membership certificate and shall become ineligible to receive any services which are ordinarily provided by the Samity. PROVIDED HOWEVER, that when the portion so excluded does not represent a majority area (more than one-half ½ of that particular Elaka) from which a Samity Director is its representative, only then shall he or she be eligible to remain a Samity Director, exclusion of his or her area of residence notwithstanding. IF HOWEVER, the area excluded does in fact represent a major portion of the Elaka, the position of Samity Director of this particular Elaka shall become legally null and void. The individual holding the Samity, Director position invalidated may remain a member of the Samity, provided he or she is not a resident within the area so excluded. When an Elaka or any part thereof is adjacent to the geographical area of the Samity and is included within its present service area, all individuals residing within the area so included shall be eligible for membership as provided in Article V, Section 1, of these Bye-Laws, and thereafter may become eligible for the position as Samity Director.

ARTICLE XIV
S E A L

The official seal of the Samity shall have inscribed thereon the name of the Samity as it appears on the registration documents, and shall be used to certify the signatures and to authenticate all certificates of membership prior to the issuance thereof, and all other documents executed on behalf of the Samity duly authorized in accordance with the provisions of these Bye-Laws, by affixing thereto.

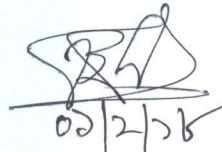
ARTICLE XV
AMENDMENTS

The Bye-Laws may be altered, amended or repealed by the affirmative vote of not less than two-thirds (2/3) of the Samity members present in person at any regular or special meeting, provided the notice of such meeting shall have contained a copy of the proposed alteration, amendment or repeal, or an accurate summary explanation thereof, having been issued to each Samity member, not less than twenty-one (21) days prior to the date of the proposed meeting. The alteration, amendment or repeal of any Article or Section thereof, by the affirmative vote of the Samity members, must be approved by the Bangladesh Rural Electrification Board. Non-service of notice under this Article shall not invalidate the proceedings of the meeting, but may be a factor taken into consideration by the Bangladesh Rural Electrification Board at the time of according approval.

Notwithstanding anything hereinabove, the Samity Board shall adopt any and all amendments, alterations or additions required to be made by the Bangladesh Rural Electrification Board in the Palli Bidyut Samity Model Bye-Laws from time to time.



ফকির শরীফ উদ্দিন আহমেদ
উপ-পরিচালক


০২/১৮

এস এম কানাল হোসেন
উপ-সচিব (সঃ দাঃ)

৫৬-তম বোর্ড সভায় অনুমোদিত

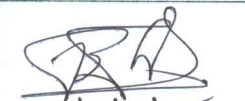
সিদ্ধান্ত নং-- ২৬৬৪৬

ARTICLE : XVI – INTERPRETATIONS

The words and expressions used in these Bye-Laws shall have same meaning and effect as in the Bangladesh Rural Electrification Board Bye-Laws.

Name of Directors	Address	Signature
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		




০৩/৫/১৬
এস এম কামাল হোসেন
উপ-সচিব (সঃ দাঃ)

৫৫৩-তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং-২৬৬৪৬











সিডিউল-১
ফর্ম - এ

নং
তারিখ :-

-----পল্লী বিদ্যুৎ সমিতি-----
সদস্য পদের/বিদ্যুৎ সংযোগের জন্য আবেদন

নাম :
পিতা/মাতা/স্বামীর নাম :
ডাক ঠিকানা :
বিদ্যুৎ সরবরাহের স্থানের বর্ণনা :

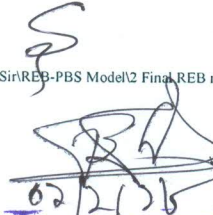
জন্ম তারিখ :-

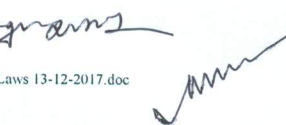
গ্রাহকের শ্রেণী				
শিল্প	বাণিজ্যিক	গৃহস্থালী	কৃষি	অন্যান্য

ব্যবহার্য আনুমানিক লোড :
কিলোওয়াট/অশুশক্তি :
উপজেলা :----- ইউনিয়ন/ পৌরসভা :-----
এলাকা নং :----- গ্রাম :-----
দাগ নং :----- মৌজা/ওয়ার্ড :-----

নিম্নস্বাক্ষরকারী -----পল্লী বিদ্যুৎ সমিতি (পরবর্তীতে শুধু সমিতি বলা হইবে) -এর
নিম্নলিখিত শর্তস্বাপেক্ষে সদস্য পদের জন্য/বিদ্যুৎ সংযোগের জন্য আবেদন করিতেছেন।

- ১। নিম্নস্বাক্ষরকারী চাহিবা মাত্র সমিতিতে সদস্য পদ ফি বাবদ ৫০/= (পঞ্চাশ) টাকা দিতে বাধ্য থাকিবেন।
- ২। নিম্নস্বাক্ষরকারী উপরোক্ত স্থানের জন্য প্রয়োজনীয় বিদ্যুৎ শক্তি সমিতির নিকট হইতে ক্রয় করিবেন এবং সমিতির উপ-বিধি অনুযায়ী বিভিন্ন সময়ে স্থিরকৃত বিদ্যুৎ হার অনুযায়ী নিয়মিতভাবে বিদ্যুৎ বিল পরিশোধ করিবেন। তবে সমিতি প্রয়োজন মনে করিলে শিল্প ব্যবহারের জন্য বিদ্যুতের পরিমাণ সীমিত করিতে পারেন।
- ৩। নিম্নস্বাক্ষরকারী তাহার নিজস্ব ভূমি অথবা ইজারা বা পাট্টা বলে নেয়া ভূমিতে অথবা অবস্থিত সকল প্রকার রাস্তায় সমিতির অনুরোধে বিদ্যুৎ শক্তির সুষ্ঠু বন্টনের প্রয়োজনে বিদ্যুৎ লাইন পোস্ট অথবা খুঁটি স্থাপন, নির্মাণ ও সংস্থার কার্যে বিদ্যুৎ লাইন চালু করা বা চালু রাখার জন্য সমিতিতে সমস্ত সুযোগ-সুবিধা প্রদান করিবেন ও তদনিমিত্তে যে কোন প্রকার দলিল, স্বত্ব ও অধিকার সমিতির অনুকূলে প্রদান করিতে প্রস্তুত থাকিবেন।
সমস্ত লাইন, মিটার অথবা প্রয়োজনীয় অন্যান্য সব কিছু উপরোক্ত সম্পত্তিতে সমিতি কর্তৃক স্থাপন অথবা সংস্কার করার উপরে সমিতির পূর্ণ অধিকার থাকিবে এবং প্রয়োজনে উহা সংস্কার অথবা অনিয়মের জন্য সরিয়ে নেওয়ার পূর্ণ অধিকার থাকিবে। যদি নিম্নস্বাক্ষরকারী উহার জন্য কোন প্রকার টাকা পয়সা দেন অথবা যদি কোন কিছু নিজে প্রতিস্থাপন করেন তবে তাহার উপর সমিতির অধিকার থাকিবে না।
- ৪। নিম্নস্বাক্ষরকারী সমিতির উপ-বিধিতে বর্ণিত (অথবা পরবর্তীতে সংশোধিত) সদস্যকে দেয়া সকল প্রকার অধিকার এবং সুযোগ সুবিধা ভোগ করিবেন এবং সমিতির উপ-বিধিসমূহ সকল রেট (বিদ্যুৎ) এবং নিয়মকানুন (যাহা বিভিন্ন সময়ে সমিতি কর্তৃক আরোপিত হইবে) যথারীতি মানিয়া চলিবেন। নিজ কর্তৃক ব্যয়কৃত সরঞ্জামাদি ব্যতীত অন্যান্য যে সমস্ত বিদ্যুৎ সরবরাহকারী লাইন, সুইচ, মিটার বা অন্যান্য যন্ত্রপাতি বা সরঞ্জামাদি যাহা সমিতি কর্তৃক উক্ত ভূমিতে স্থাপিত ও নির্মিত হইবে, সমিতি তাহাদের পূর্ণ স্বত্বাধিকারী হইবে এবং উহা মেরামত করা অথবা অপসারণ করার প্রয়োজন বোধে উক্ত ভূমিতে সমিতির পূর্ণ প্রবেশাধিকার থাকিবে।
- ৫। নিম্নস্বাক্ষরকারী সমিতির সদস্য ফি প্রদান পূর্বক সদস্য পদ লাভের পর কোন ক্রমেই সমিতির কোন ঋণ বা দেনার দায়ী থাকিবেন না এবং সমিতির কোন প্রকার ঋণ বা দেনার দায়ে তাহার নিজস্ব সম্পত্তি আইনতঃ ক্রেতাক করা চলিবে না। এই আবেদন পত্র সমিতি কর্তৃক গৃহীত হইলে ইহা নিম্নস্বাক্ষরকারী এবং সমিতির মধ্যে একটি চুক্তি বলিয়া গণ্য হইবে এবং উপরোক্ত শর্তস্বাপেক্ষে ইহা এক বছরের চুক্তিনামা বলিয়া বিবেচিত হইবে। এই এক বছর প্রথম বিদ্যুৎ পাওয়ার দিন হইতে গণনা করা হইবে। উপরিউক্ত এক বছর অতিবাহিত হওয়ার পরেও এই চুক্তি বলবৎ থাকিবে, যে পর্যন্ত না কোন পক্ষ কমপক্ষে ৩০ (ত্রিশ) দিনের নোটিশ মারফত এই চুক্তি বাতিল করিবেন।


এস এন ফার্মল হোসেন
উপ-সচিব (সঃ সঃ)


০৬৬ তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং ০৬৬৪৬

- ৬। (ক) নিম্নস্বাক্ষরকারী অত্র সমিতির ভৌগলিক এলাকাভুক্ত অন্য কোন স্থান হইতে সদস্য পদের জন্য আবেদন করেন নাই বা সদস্যপদ প্রাপ্ত হন নাই।
- (খ) নিম্নস্বাক্ষরকারী অত্র সমিতির ভৌগলিক এলাকাভুক্ত নিম্নে বর্ণিত স্থান হইতে সদস্য পদের জন্য ইতিমধ্যেই আবেদন করিয়াছেন বা সদস্যপদ প্রাপ্ত হইয়াছেন :-

উপজেলা : ইউনিয়ন/পৌরসভা : এলাকা :
গ্রাম : দাগ নং : মৌজা/ওয়ার্ড :

অত্র আবেদনপত্রকে কেবলমাত্র বৈদ্যুতিক সংযোগের জন্য বিবেচনা করার অনুরোধ করা হইল।

স্বাক্ষরী : -----
(আবেদনকারী)

(আবেদনকারীর স্ত্রী)
(যৌথ সদস্য পদের ক্ষেত্রে)

সদস্য পদের/বৈদ্যুতিক সংযোগের জন্য উপরিউক্ত আবেদন পত্র-----
পল্লী বিদ্যুৎ সমিতি কর্তৃক গৃহীত হইল।

তারিখ :- বার :- -----পল্লী বিদ্যুৎ সমিতি-----এর পক্ষে
বিঃ দ্রঃ এতদ্বারা সকলের অবগতির জন্য জানানো যাইতেছে যে, কোন গ্রামের মোট সদস্য সংখ্যার ৭৫% বাড়ীতে আভ্যন্তরীণ বৈদ্যুতিক কাজ সমাপ্ত করা না হইলে এবং সদস্যগণ দুই মাসের ন্যূনতম নির্ধারিত বৈদ্যুতিক বিল অগ্রিম প্রদান না করিলে উক্ত গ্রামে বৈদ্যুতিক সংযোগ দেওয়া হইবে না।

-----পল্লী বিদ্যুৎ সমিতি-----
সদস্য পদের/বিদ্যুৎ সংযোগের জন্য
আবেদন পত্রের রশিদ
নাম :-
পিতা/মাতা/স্বামীর নাম :-
ডাক ঠিকানা :-
জন্ম তারিখ :-

রশিদ নং -
তারিখ :-

গ্রাহকের শ্রেণী				
শিল্প	বাণিজ্যিক	গৃহস্থালী	কৃষি	অন্যান্য

এর নিকট হইতে একজনের সদস্য ভুক্তির জন্য ৫০/= (পঞ্চাশ) টাকা বুঝিয়া পাইলাম।
ব্যবহার্য আনুমানিক লোড :- -----কিলোওয়াট/অশ্বশক্তি
বিদ্যুৎ সরবরাহের স্থানের বর্ণনা :-

উপজেলা : ইউনিয়ন/পৌরসভা :
এলাকা : গ্রাম :
দাগ নং- মৌজা/ওয়ার্ড :

(সীল)-----পল্লী বিদ্যুৎ সমিতি-
অনুমোদিত স্বাক্ষর

০২/১৮
এস এম কামাল হোসেন
উপ-

৫৬৬ তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং- ২৬৬৪৬

ফর্ম-বি

-----পল্লী বিদ্যুৎ সমিতি-----

(মনোগ্রাম)

এই মর্মে সনদ পত্র প্রদান করা যাইতেছে যে,-----

পিতা/মাতা/স্বামী-----

গ্রাম ----- ইউনিয়ন/পৌরসভা-----

উপজেলা-----পল্লী বিদ্যুৎ সমিতি----- এর বিধি বিধান প্রতিপালন করিয়া

এবং সমিতির আওতাভুক্ত থাকিয়া বিদ্যুৎ সুবিধা ভোগ করিতেছেন। তিনি অত্র সমিতির একজন সদস্য। তাহার

সদস্য পদ নং ----- তারিখ -----

এবং জন্ম তারিখ/বয়স----- ।


সচিব

(সীল)

সভাপতি

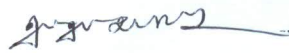
-----পল্লী বিদ্যুৎ সমিতি-----

-----পল্লী বিদ্যুৎ সমিতি-----


০২/২/১৮
এস এম কামাল হোসেন
উপ-সচিব (চঃ দাঃ)

০৬/৬ তম বোর্ড সভায় অনুমোদিত
সিদ্ধান্ত নং ২৬৬৪৬











DEFINITIONS

- (Agent) - One who or that which acts ; a person entrusted with the business of another.
(Appoint) - To assign authoritatively to a particular use, task of office ; allot ; designate; also to equip or provide with requisites or accessories. (appointed)
(Appointment) - The act of appointing; ordainment, or an ordinance ; designation to office, or the office.
(Board of Directors)- A group of persons responsible for the top-level management of a corporation.
(Bonafide) - With good faith ; without fraud or deception ; authentic ; genuine.
(Bye-Law) - A rule adopted by an organization chiefly for the government of its members and the regulations of its affairs.
(Candidate) - One who seeks or is proposed for appointment, office or honor; an aspirant ; a person who seems likely to reach a certain end.
(Consumer) - One that consumes ; one that utilizes economic goods (products).
(Corporation) - A body formed and authorized by law to act as a single person although constituted by one or more persons and legally endowed with various rights and duties including the capacity of succession.
(Custody) - Immediate charge and control exercised by a person or an authority ; SAFEKEEPING.
(Director) - One who or that which directs; one who superintends, governs, or manages ; specifically one of a body appointed to direct, control or superintend the affairs of a company.
(Eligible) - Fit to be chosen for some purpose or duty ; worthy of choice ; desirable ; legally qualified to be chosen.
(Eligibility) - The state or condition of being eligible ; capability of being chosen.
(Executive) - Pertaining to or suited for executing or carrying into effect ; charged with or pertaining to execution of laws or administration of affairs ; any person or body charged with administrative work ; a person skilled in such work.
(Manager) - One who manages ; one who has guidance or direction of anything ; one who is directly at the head of an undertaking.
(Member) - One of the individuals composing a group.
(Membership) - The state or status of being a member ; the body of members.
(Nominate) - To designate for an office or duty ; to propose or offer the name of, as a candidate for an office or place.
(Nominee) - A person nominated ; one proposed to fill a place or office..
(Patron) - Customer ; one who uses the services ; one that purchase systematically or frequently a commodity or service.
(Policy) - Management or procedure based primarily on material interest; a definite course or method of an action selected from among alternatives and in light of given conditions, to guide and determine present and future decisions ; a high-level overall plan embracing the general goals and acceptable procedures especially for a governmental body.
(Qualified) - Having the qualifications ; competent ; modified or limited.
(Qualify) - To furnish with the knowledge, skill or other prerequisites necessary for a purpose; to make fit for any place, office or occupation ; to furnish with legal power or capacity.
(Select) - To choose in preference to another or others ; pick out from a number.
(Selected) - To make a choice or selection (chosen in preference to others).
(Waiver) - The act of intentionally relinquishing or abandoning a known right, claim, or privilege; also; the legal instrument evidencing such an act (Waiver of Notice).