



Bangladesh Payroll Handbook 2023-2024

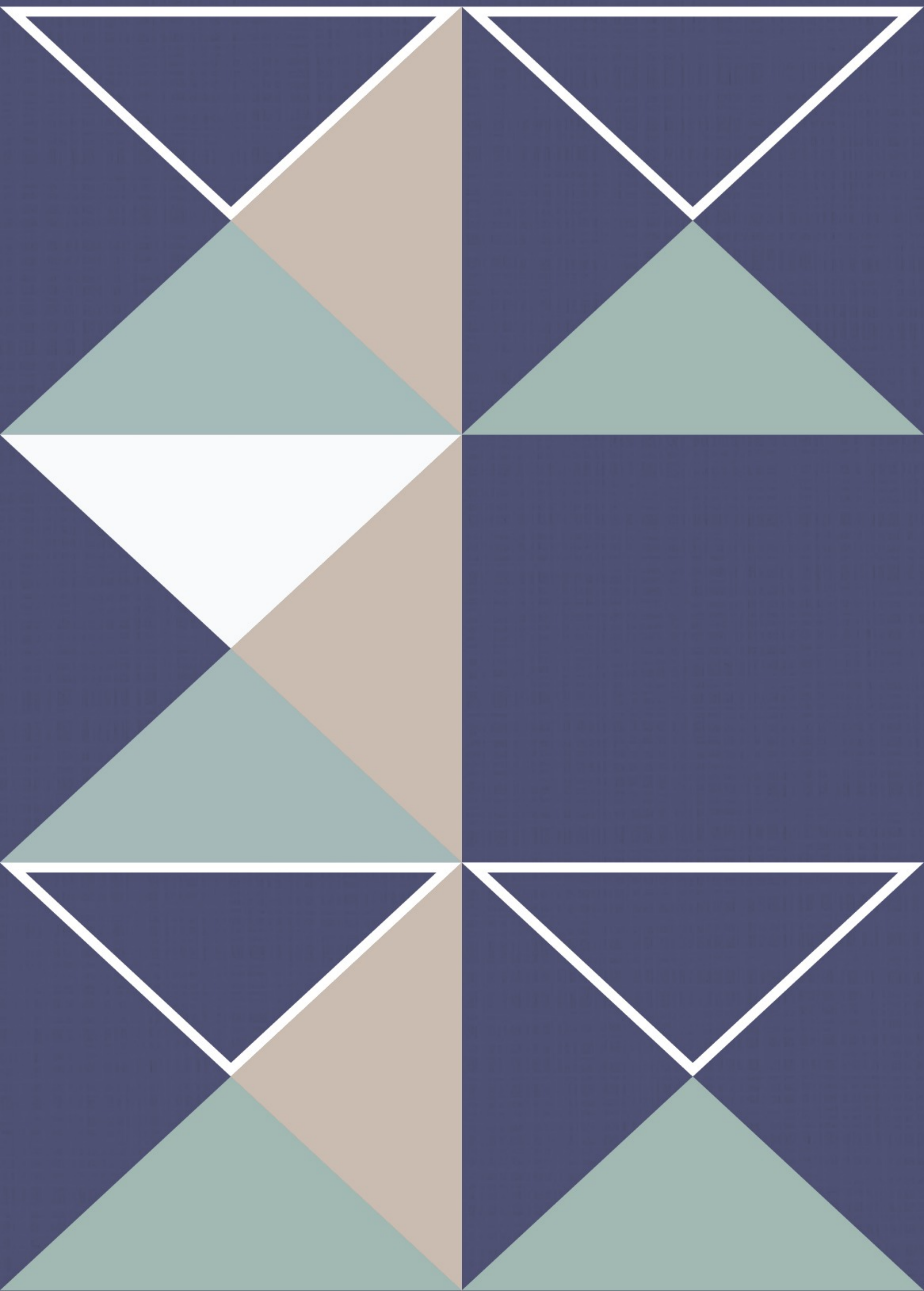


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Firm Profile

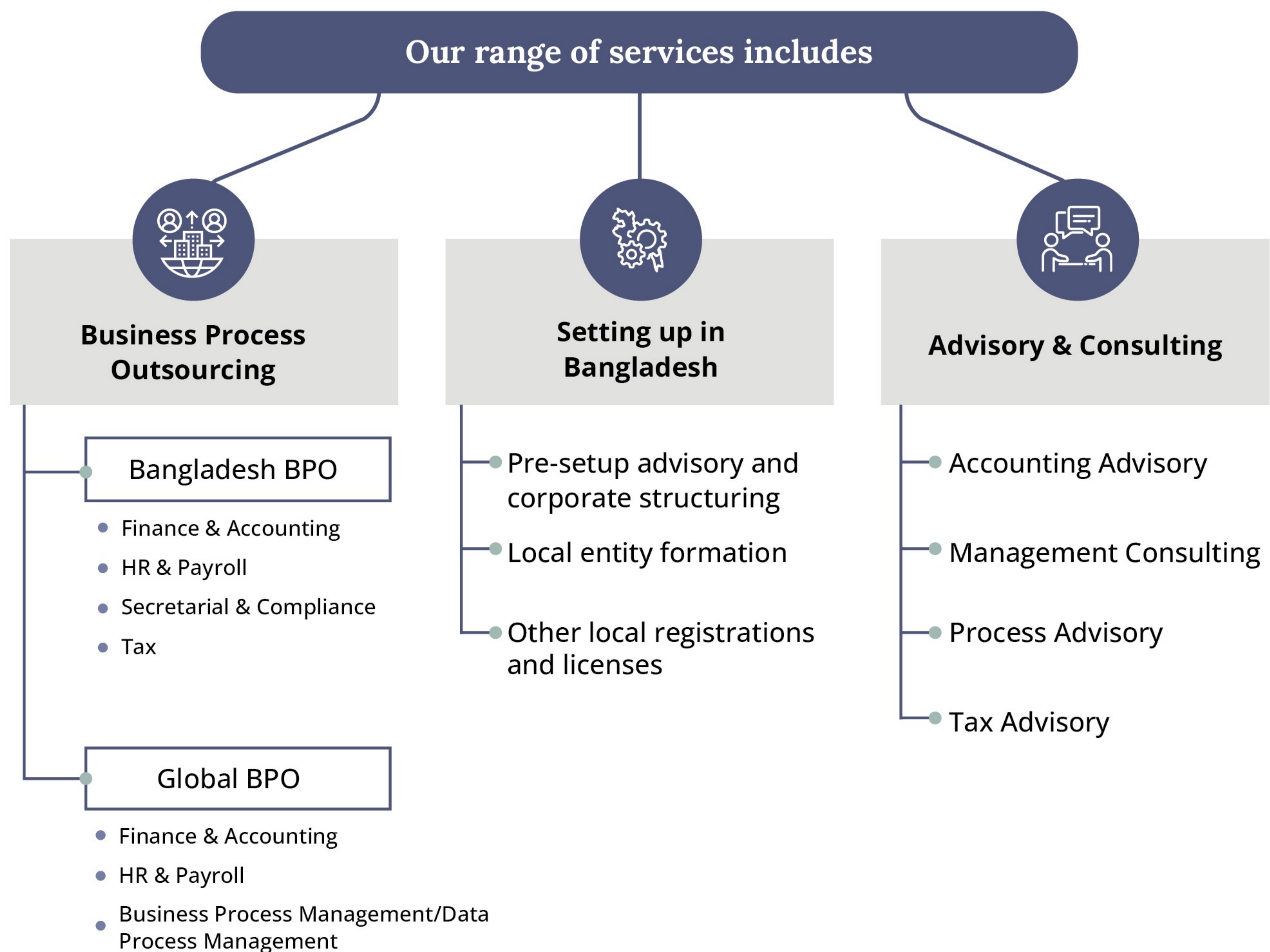
ACE Advisory is a leading provider of advisory, consulting, outsourcing services. We focus on providing an integrated set of multidisciplinary services with our deep local knowledge.

Our 3 core services support clients of various sizes with:



Whether a client wants to setup in Bangladesh or outsource its payroll function, we provide the support by combining deep sector expertise, local insight and technology.

We provide a single point of contact to coordinate continuous management of outsourced operations across our 3 business services.



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Foreword

This handbook is intended to provide a brief but complete insight into payroll and personal income tax implications in Bangladesh. This has been prepared as a guidance for employers wishing to employ local and expatriate employees in Bangladesh and incorporates provisions of the Income Tax Act 2023 and the Finance Act 2023. The information provided in this handbook is general in nature and is not intended to address the circumstances of any particular individual/firm/entity/employer.

Note the guidelines given in this handbook apply to management level staff only. Payroll implications for labour and unskilled staff are not dealt with here.

These insights are not comprehensive and specific professional advice/opinion should be sought before relying on information contained herein. Although the information stands correct at the time of issue, there is no guarantee it will continue to be so in future. Information provided has been referenced in footnotes to the extent possible.

This document has been updated for changes till **30 June 2023**.

ACE Advisory

Employment of staff



1. Employment of staff

1.1. Determination of residency

In Bangladesh, an individual is treated as a resident if they have been in Bangladesh for¹ :

- 1 An aggregate period of 183 days or more in that tax year, or
- 2 90 days or more in that tax year provided he/she has previously been in Bangladesh for an aggregate period of 365 days or more during the 4 years preceding that tax year.
- 3 Any company which is managed or controlled wholly in Bangladesh during that tax year.
- 4 Any trusts, funds or entity controlled or managed from Bangladesh.

Short term visitors and dependents of expatriates not earning any income in Bangladesh are not taxable locally and do not have to file a tax return.

1.2. Employing residents

- Locally incorporated entities are free to employ Bangladesh Nationals above **18 years** of age.
- There is **no registration process** with the government for hiring employees.
- Employment contracts are generally used locally to govern the relationship between employer and employee.

1.3. Employing non-residents

1.3.1. Conditions for employment

Locally incorporated entities can employ expatriates subject to certain conditions and the pre-requisites are as follows:

- Nationals of countries recognized by Bangladesh are only considered for employment.
- Employment of expatriate personnel will be considered only in industrial/commercial establishments which are registered with the Bangladesh Investment Development Authority (BIDA).
- Employment of foreign nationals is normally considered for roles for which local experts/technicians are not available.

1. Section 2(45) of ITA 2023

- Persons below 18 years of age are not eligible for employment.
- A decision of the board of directors of the concerned company for new employment/employment extension must be furnished in each case.
- The number of foreign employees should not exceed 5% in the industrial sector and 20% in commercial sector of the total employees, including top management personnel.
- Encashment certificate of inward remittance available of minimum US \$50,000.00 as initial establishment cost for branch/ liaison/ representative office and locally incorporated/ joint venture and 100% foreign ownership companies.
- Initially employment of any foreign national is approved for a term of two years, which may be extended based on merit of the case.
- Ministry of Home Affairs will conduct a security check and issue necessary clearance certificates.

1.3.2. Process of employment

The process of hiring expatriates is as follows² :

- a** E-Visa recommendation letter – the first step is to obtain an industry specific E-Visa recommendation letter from Bangladesh Investment Development Authority (BIDA), based on which, the expat will have to apply for a specific visa at the Bangladesh embassy situated in their country of residence.
- b** Work permit application - after arriving in Bangladesh, the expatriate is required to apply for work permit within 15 days from the date of arrival.
- c** Security clearance – once a work permit is issued by BIDA, a copy of it will be sent to the Security Services Division (SSD) at the Ministry of Home Affairs and after due verification, the Ministry issues a security clearance.

1.3.3. Renewal, extension, and cancellation

Initially, employment of any foreign national is considered for a term of 2 years, which may be extended up to 5 years based on merit of the case. The requirements for the renewal, extension and cancellation of work permits are listed in BIDA's online One Stop Service portal.

1.3.4. Other issues to consider

Employer needs to ensure that the expatriate opens a bank account in Bangladesh to receive salary for his/ her employment. An expatriate employed in Bangladesh is permitted to make monthly remittance in abroad maximum upto 75% of his/ her income³ .

2. Bangladesh Investment Handbook by BIDA

3. FE Circular No. 06

1.4. e-TIN - application criteria⁴

All individual taxpayers who are required to file tax return need to obtain a certificate containing twelve- digit e-TIN. In terms of payroll following employees are required to have e-TIN and furnish the proof of submission of return of income:

- Employees having taxable salary income;
- Employees working in management or administration function or in any supervisory position in the production function

Foreign expatriates need to apply for e-TIN immediately after receiving work permit.

Application process is relatively easy and can be applied manually or electronically from <http://secure.incometax.gov.bd/TINHome>.

1.5. e-TIN - responsibility of employer

Employers must ensure that employees who are eligible to file tax return or expatriates having work permit have collected and shared their e-TIN with their employer for documentation purpose. In case employer makes salary payment to any employee who is required to obtain e-TIN but failed, such expenses of employer will be disallowed by tax authority⁵.

4. Section 261 of ITA 2023

5. Section 55 of ITA 2023

Taxability of income from employment



2. Taxability of income from employment

2.1. Income from salary

Income from salary includes the following⁶ :

				
Basic salary	Festival bonus	Incentive bonus	Arrear salary	Advance salary
				
Wages or any other payment	Overtime	Contribution to PF by Employer	Pension fund	Gratuity fund
				
Superannuation fund	Project pay	Leave encashment	Compensation pay	Leave fare assistance

Individuals can enjoy exemption on salary income up to Tk. 450,000 or 1/3 of the gross salary, whichever is lower.

2.2. Tax credit from investment

An assessee shall be entitled to a credit from the amount of tax payable if he/she invests during the income year in the following items:

#	Details	Limit
1	Life insurance premium paid by an individual	10% of insurance value
2	Contribution to Govt. recognized provident fund of both employer and employee	No Limit
3	Contribution in superannuation fund	No Limit

6. Section 32 of ITA 2023

#	Details	Limit
4	Investment in stocks and Shares of listed companies	No Limit
5	Investment in Debentures or Debenture -Stocks	No Limit
6	Investment in Govt. securities (Shanchay Patra)	Up to Tk. 500,000
7	Investment in Govt. approved Deposit Pension Scheme (DPS)	Up to Tk. 120,000
8	Donation to an NBR approved charitable hospital	No Limit
9	Donation to organization for the welfare of the disabled people	No Limit
10	Donation to Zakat Fund	No Limit
11	Donation to Govt. approved educational institution	No Limit
12	Donation to any institution related to independence war	No Limit
13	Donation to any institution to commemorate the father of the nation	No Limit

The eligible investment credit amount will be the lesser of ⁷:

a	3% of taxable income
b	15% of actual investment as per Part 3, Sixth Schedule of ITA 2023
c	Tk. 1,000,000

However, if an individual fails to submit the return of income within due time as per section 75, tax credit shall not be applicable for him/her⁸.

7. Section 78 of ITA 2023

8. Section 76 of ITA 2023

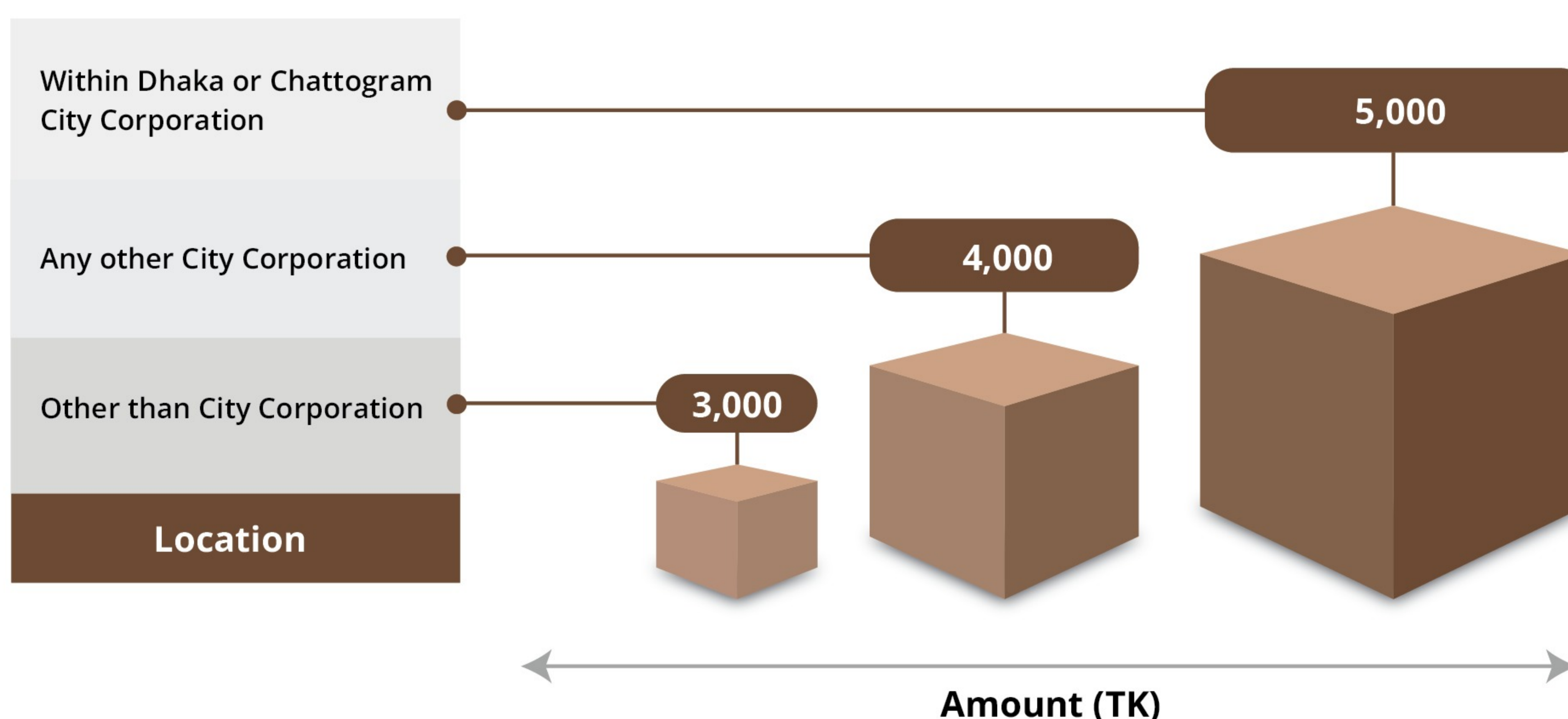
2.3. Income tax rates

Income tax is charged to individuals on fixed slabs. The slabs of total income and corresponding tax rates are given below:

Amount of Taxable Income	Rate
Male Taxpayers on first Tk. 350,000	Nil
Female Taxpayers & Senior Taxpayers (Age 65 & above) and Third Gender Taxpayers on first Tk. 400,000	
Disabled and Third Gender Taxpayers on first Tk. 475,000	
Gazetted War-Founded Freedom Fighter Taxpayer on first Tk. 500,000	
Any one parent/ legal guardian of disabled individuals (Tk. 50,000 above their applicable total income floor)	
On the next Tk. 100,000	5%
On the next Tk. 300,000	10%
On the next Tk. 400,000	15%
On the next Tk. 500,000	20%
On the balance	25%

2.4. Minimum tax

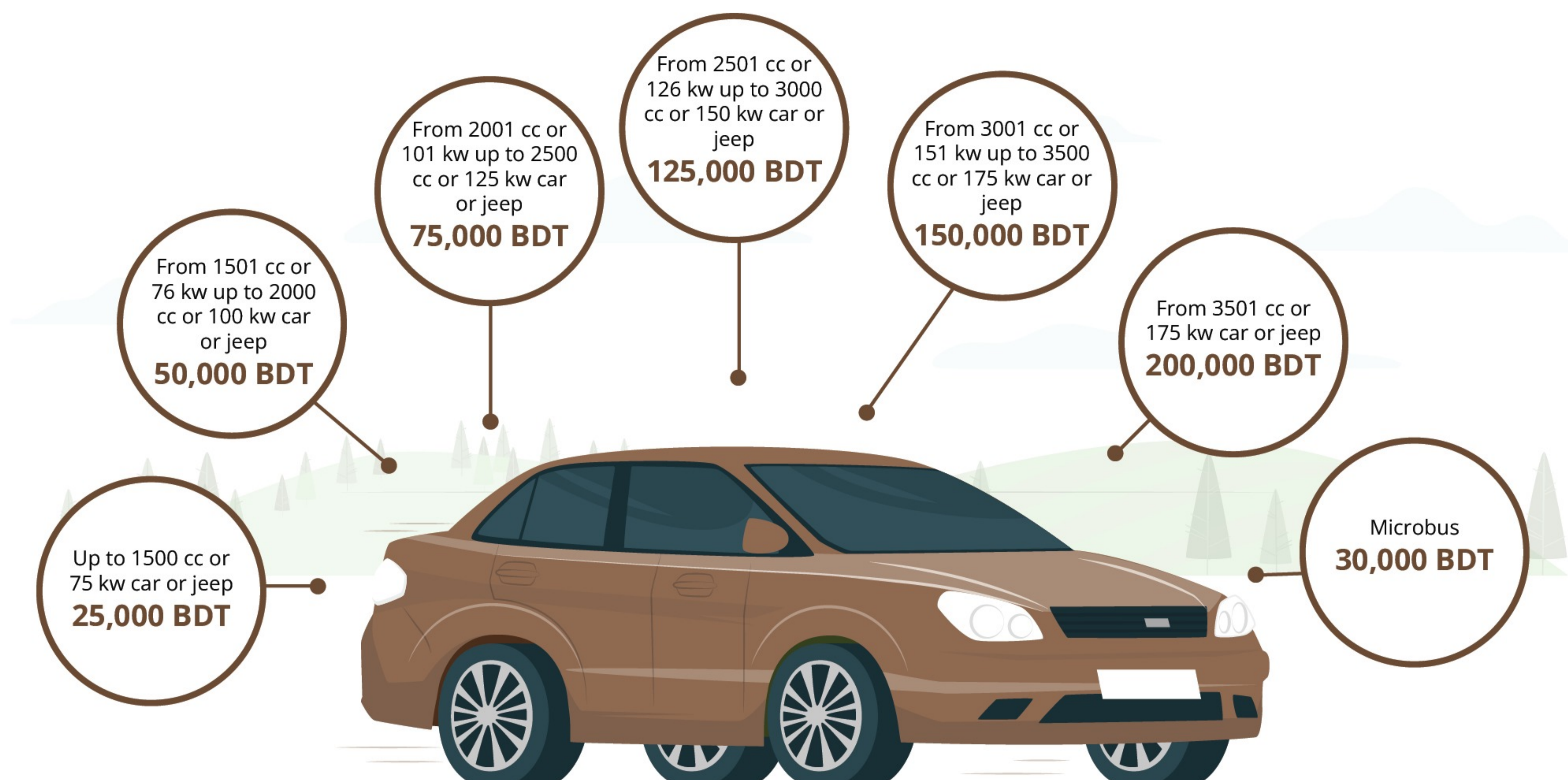
Minimum tax applicable on individuals is as follows:



This minimum tax is levied on anyone whose total taxable income (after applicable allowances) exceeds the tax-free threshold. For simplicity, let us assume the total taxable income of a female individual residing in Dhaka City Corporation exceeds Tk. 400,000 and the tax liability comes to Tk. 2,000 for that tax year. In this case the individual must pay the minimum tax of Tk. 5,000.

2.5. Advance income tax on motor vehicle ownership

Every individual owning a private motor vehicle will have to pay advance income tax as follows⁹ :



Note: The AIT mentioned above is not applicable for motor cars used for commercial purpose as mentioned on Section 138¹⁰

If an individual owns two or more motor vehicles (individually or jointly), the rate of tax shall be 50% higher for each additional motor car.

In case of registration or fitness renewal of motor car for more than one year, advance tax under (as listed above) shall be collected on or before 30th June in every subsequent year or years following the year in which registration or fitness renewal of motor car has been done.

2.6. Responsibility of employer

2.6.1. Computation and deduction of tax at source

Employer has the responsibility to compute and deduct taxes at source after providing for allowances from monthly salary.

If employer in any case fails to compute tax as per law or deduct tax from salary, related expenses for salary will be disallowed by tax authority¹¹. Disallowed expenses are treated separately as income and therefore directly taxed at regular rate¹².

9. Section 153 of ITA 2023

10. Section 153 (1) of ITA 2023

11. Section 55 of ITA 2023

12. Section 56 of ITA 2023

2.6.2. Payment of salary

Any payment by way of salary or remuneration needs to be made by bank transfer for employees¹³.

Bank transfer (as a tax allowable mean of payment method) includes cross-cheque facility, mobile financial services and any other digital means as approved by Bangladesh Bank¹⁴.

If employer in any case fails to make payment as per prescribed manner, related expenses for salary will be disallowed by tax authority. Disallowed expenses are treated separately as income and therefore directly taxed at regular rate¹⁵.

2.6.3. Submission of tax deducted at source

After deduction, tax amount needs to be submitted to Government treasury within following timeline to stay compliant¹⁶:



Time of Deduction

Time of Deduction	Date of payment
<ul style="list-style-type: none"> ■ Deduction in July to May 	2 weeks from the end of the month of deduction
<ul style="list-style-type: none"> ■ Deduction in the first 20 days of June 	7 days from the date of deduction



Date of payment



Time of Deduction

Time of Deduction	Date of payment
<ul style="list-style-type: none"> ■ Deduction on any other days of June except the last 2 working days 	On the next following day
<ul style="list-style-type: none"> ■ Deduction made on the last 2 working days of June 	On the same day



Date of payment

Failure to submit the tax amount to Government treasury within stipulated deadline will result in a penalty of 2% per month on the tax amount due to be submitted¹⁷.

13. Section 55 of ITA 2023

14. Section 2(72) of ITA 2023

15. Section 55 of ITA 2023

16. SRO-206-AIN/Income Tax-01/2023

17. Section 143 of ITA 2023

Long term payroll incentives

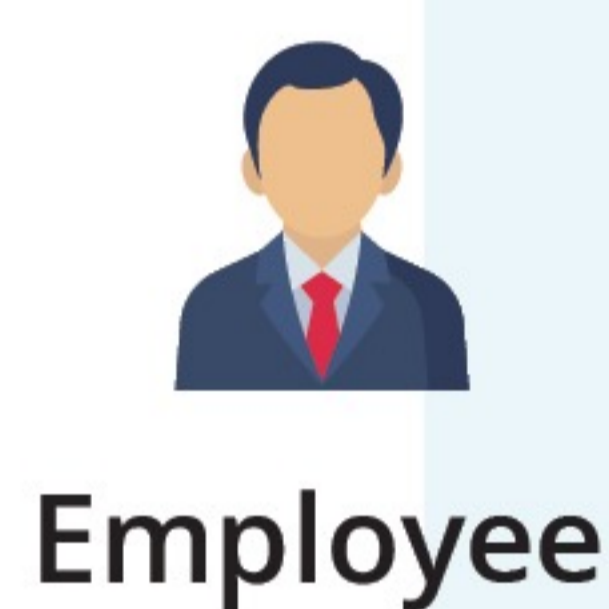


3. Long term payroll incentives

3.1. Provident fund (PF)

Provident fund setup is optional in Bangladesh. A provident fund is a voluntary investment fund that is jointly established by the employer and employee to serve as a long-term savings to support an employee after retirement. Benefit from the fund is mainly received by employees after termination of employment contract. Employers can setup two kinds of provident funds:

- a** Registered Provident Fund – The fund needs to be created with a trustee board and registered with the tax authorities. Provident funds registered with the tax authorities under the provisions of ITA 2023 enjoy certain tax benefits from both employee and employer’s perspective:



- Contribution made by employee under registered PF is considered as eligible investment for tax credit.
- Accumulated balance payable to employee at the end of contract period shall be considered exempt from tax if the employee rendered continuous service with his employer for more than 5 years¹⁸.



- Contribution made by employer under registered PF is an allowable deduction from employer’s income.

- b** Un-registered Provident Fund – This is an internal fund managed by the employer. There is no tax incentive for un-registered PF.

3.1.1. Application procedure

An application for Approved Provident Fund needs to be submitted to NBR in writing by the trustees accompanied by, but not limited to the followings:

a copy of trust deed under which the fund is established

a copy of the fund rules

18. Part 3 of 2nd Schedule of ITA 2023

3.1.2. Date of recognition

By default, recognition shall take effect from the last day of the month in which the application for recognition is received by the Commissioner concerned unless any other date is requested by the employer.

3.1.3. Contribution & management

The fund shall be established under an irrevocable trust and will be treated as a complete separate legal entity with its own management. The Board of trustees must be comprised of equal number of representatives from both employer and employee's side¹⁹. Only permanent employees are eligible to invest in the fund²⁰. Contributions must be made to the fund by both employer and employee according to the trust deed²¹.

Maintenance of the fund is guided by Labour Act and ITA, which includes periodic accounts preparation audit and submission of audited FS to tax office as control measure.

3.2. Gratuity fund (GF)

Gratuity is a voluntary benefit provided by employer to the employees for the services rendered during the period of employment. It is paid to employees after termination of employment contract. Employees need to meet certain eligibility criteria to avail this benefit, which mainly depends on the number of year of services with the employer defined under Labour Act.

3.2.1. Approved gratuity fund

Gratuity fund which is approved by NBR under the provisions of ITA 2023 have certain tax benefit from both employee and employer's perspective:



Employee

- Any income up to taka two crore fifty lakh received by an assessee as gratuity is tax free.



Employer

- Income derived from investments or deposits of an approved gratuity fund and any capital gains arising from the transfer of capital assets of such fund shall be exempt from payment of tax.
- Any sum paid by an employer as contribution towards an approved gratuity fund shall be deducted in computing his income, profits, and gains for the purpose of assessment²².

19. Section 264(5) of Labour Act 2006

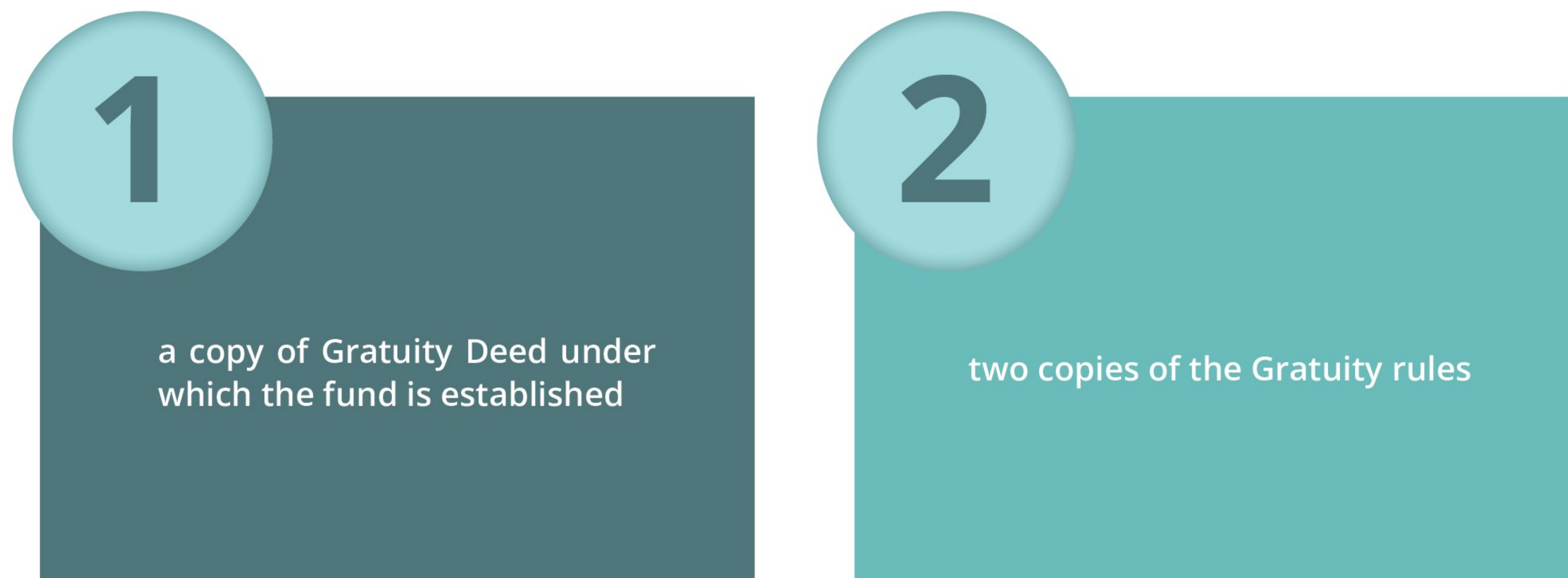
20. Section 264(9) of Labour Act 2006

21. Part 3 of 2nd Schedule of ITA 2023

22. Part 2 of 2nd Schedule of ITA 2023

3.2.2. Application procedure

An application for Approved Gratuity Fund needs to be submitted to NBR in writing by the trustees accompanied by, but not limited to the followings²³:



3.2.3. Approval

Upon submission of application, NBR usually provides approval within six months from the date of receipt of the application. In any time NBR has the right to revoke the approval if conditions set by NBR²⁴ and the rules that have been approved are not met.

3.2.4. Contribution & maintenance

The fund shall be established under an irrevocable trust and will be treated as a complete separate legal entity with its own management. Employer shall be making contribution to the fund as per trust deed. Maintenance of the fund is guided by Labour Act and Income Tax Act, which includes periodic accounts preparation, audit, and submission of audited accounts to tax office as control measure.

23. Part 2 of 2nd Schedule of ITA 2023

24. Part 2 of 2nd Schedule of ITA 2023

3.3. Workers profit participation fund (WPPF)

WPPF is a benefit provided by employer to the employees for the services rendered during the period of employment. It is paid to employees after termination of employment contract. Employees need to meet certain eligibility criteria to avail this benefit, which mainly depends on the time of service with the employer defined under Labour Act.

WPPF enjoy certain tax benefit from both employee and employer's perspective:



Employee

- The sums paid out of the Funds to the workers shall be exempted from income tax²⁵



Employer

- The sums paid out of the Funds to the workers shall be exempted from income tax²⁶
- The income of the Funds including their capital gains shall be exempted from income tax²⁷

3.3.1. Eligibility criteria for employer

- Paid-up capital of the company as on the last day of its accounting year is one crore taka or more
- Value of the fixed assets of the company at cost as on the last day of the accounting year is not less than two crore taka or more

WPPF and a Workers Welfare Fund shall be established within one month of the date on which the Company becomes eligible.

25. Section 246, Labour Act 2006, Amendment 2013

26. Section 244, Labour Act 2006, Amendment 2013

27. Section 245, Labour Act 2006, Amendment 2013

3.3.2. Eligibility criteria for employee²⁸

- All workers shall be eligible to the benefits and to participate in the funds
- Any worker not completing six months of employment with the company during a year of account shall not participate in the funds in respect of that year

3.3.3. Contribution and management

The contribution by employer shall be at the rate of five percent of the net profit of the previous year within nine months of the close of every year. The proportion of contribution is set at 80:10:10 to the Participatory Fund, Welfare Fund and Workers Welfare Foundation Fund respectively²⁹.

The fund shall be managed by a board of trustees consisting two members nominated by the employees of the company and two members nominated by the management of the company, and there shall be a person from the accounts section of the company within thirty days of commencement³⁰.

3.3.4. Investment of WPPF

WPPF can be invested in following areas³¹

- The amount allocated or deposited in the Participation Fund shall be available to the company for its business operation
- If the company does not want to utilize any amount of the Fund in its business, the fund can also be invested in any government investment
- If the company raises any additional capital, the Participation Fund shall have the first option to convert any amount available or any asset of the Participation Fund into ordinary equity capital with a certain limit fixed by Labour law.

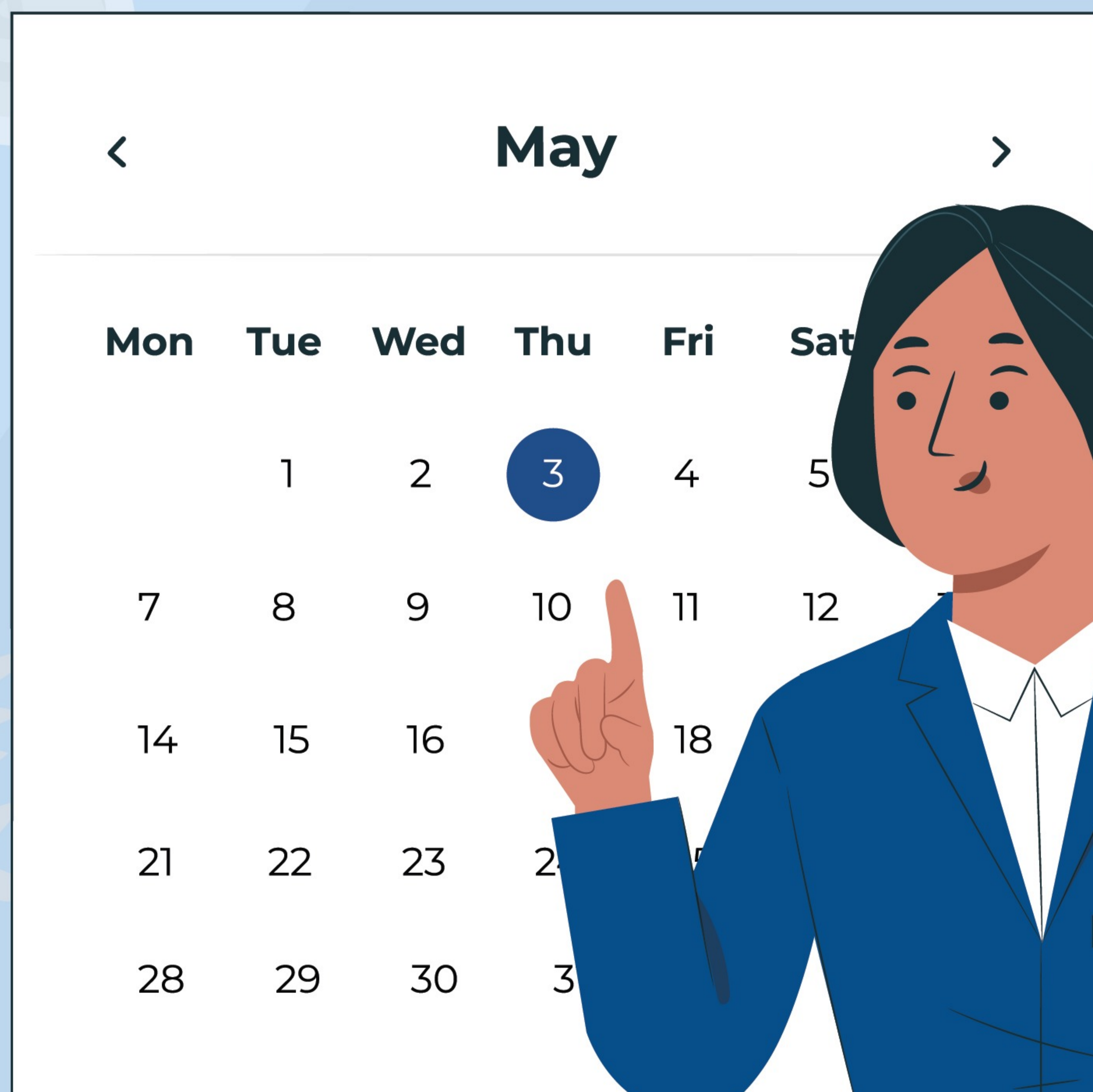
28. Section 241, Labour Act 2006, Amendment 2013

29. Section 234, Labour Act 2006, Amendment 2013

30. Section 235, Labour Act 2006, Amendment 2013

31. Section 240, Labour Act 2006, Amendment 2013

Payroll compliance - employer



4. Payroll compliance - employer

Under payroll management following compliance reporting are mandatory for employer:

4.1. Details of tax deducted from salaries under TDS Rules

This is a mandatory filing for employer monthly. The return needs to be prepared as per prescribed format and need to be submitted within 15 days from the end of relevant month.

4.2. Details regarding payment of salaries under TDS Rules

This is a mandatory filing for employer on a yearly basis. The return needs to be prepared as per prescribed format and need to be submitted with the monthly TDS return of September each year.

4.3. Details regarding filing of return by employees under TDS Rules

This is a mandatory filing for employer on a yearly basis. The return needs to be prepared as per prescribed format and need to be submitted with the monthly TDS return of April each year. Every employee therefore needs to provide following information to the employer based on which employer will prepare the return:

- a** e-TIN
- b** Date of filing return
- c** The serial number provided by authority upon filing of the individual tax return

A summary table highlighting the key aspects of mandatory reporting is given below:

Activity	Frequency	Deadline	Penalty	Reference
Details of tax deducted from salaries under TDS Rules	Monthly	15 days from end of relevant month	-	SRO-206-AIN/Income Tax-01/2023 and Section 177 & 266 of ITA 2023
Details of salaries paid to employees	Annual	15 September of each year	Higher of: <ul style="list-style-type: none"> ■ 10% of tax imposed on last assessed income ■ Tk 5,000 	
Details of employee's personal income tax filing	Annual	15 April of each year	In case of continuing default, a further penalty of Tk 1,000 will be added for every month.	

4.4. Perquisites

Each year at the time of filing the Annual Return, employer needs to provide a **Statement of Excess Perquisites** via an Annexure along with the Computation of Total Income.

Perquisites are defined as any payment made to an employee by an employer in any form **excluding** the following³²:

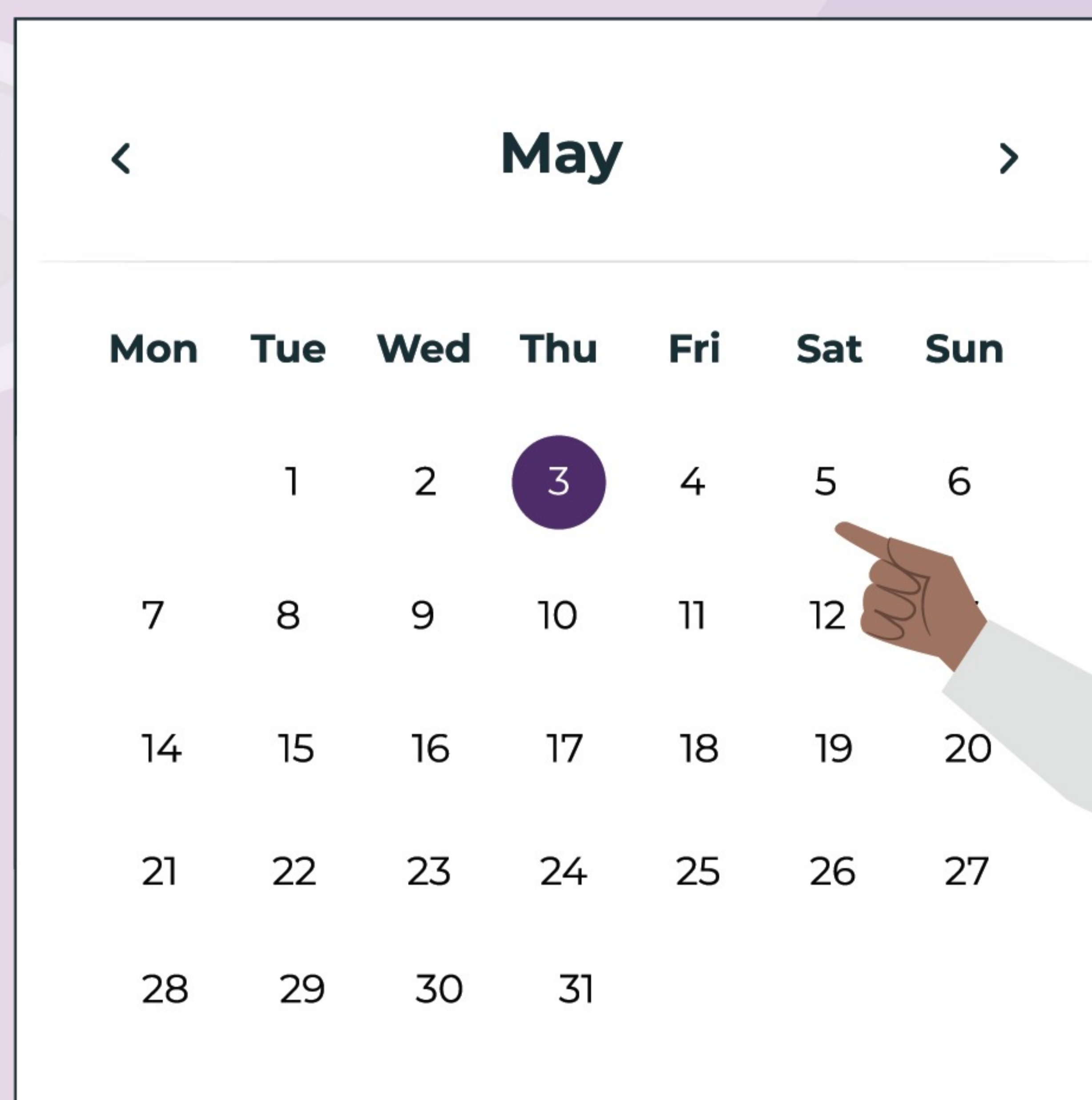


The limit of perquisites payable to an employee is Tk. 1,000,000 during a year. Any amount exceeding this is disallowed by tax authority. Disallowed expenses are treated separately as income and therefore directly taxed at regular rate³³.

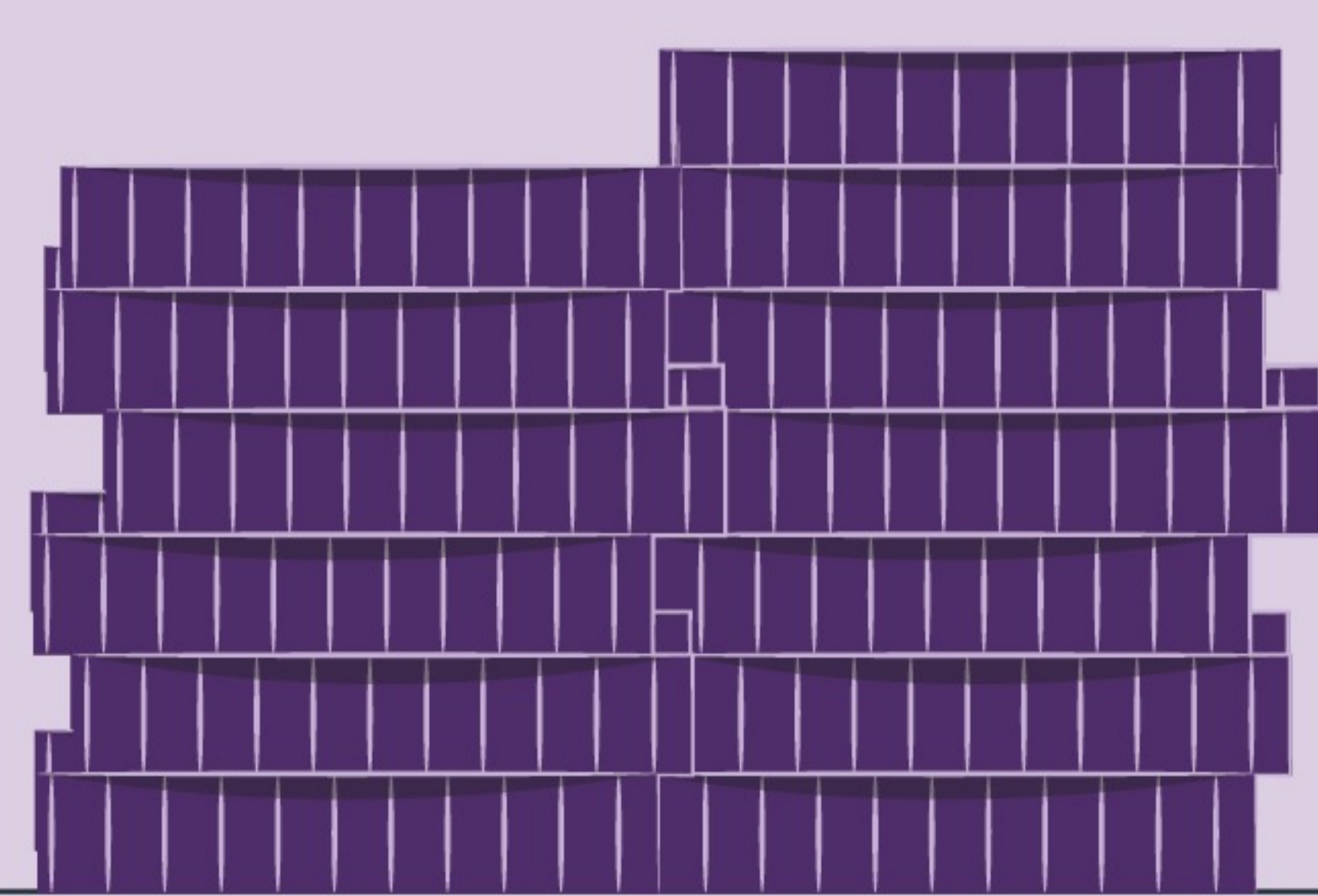
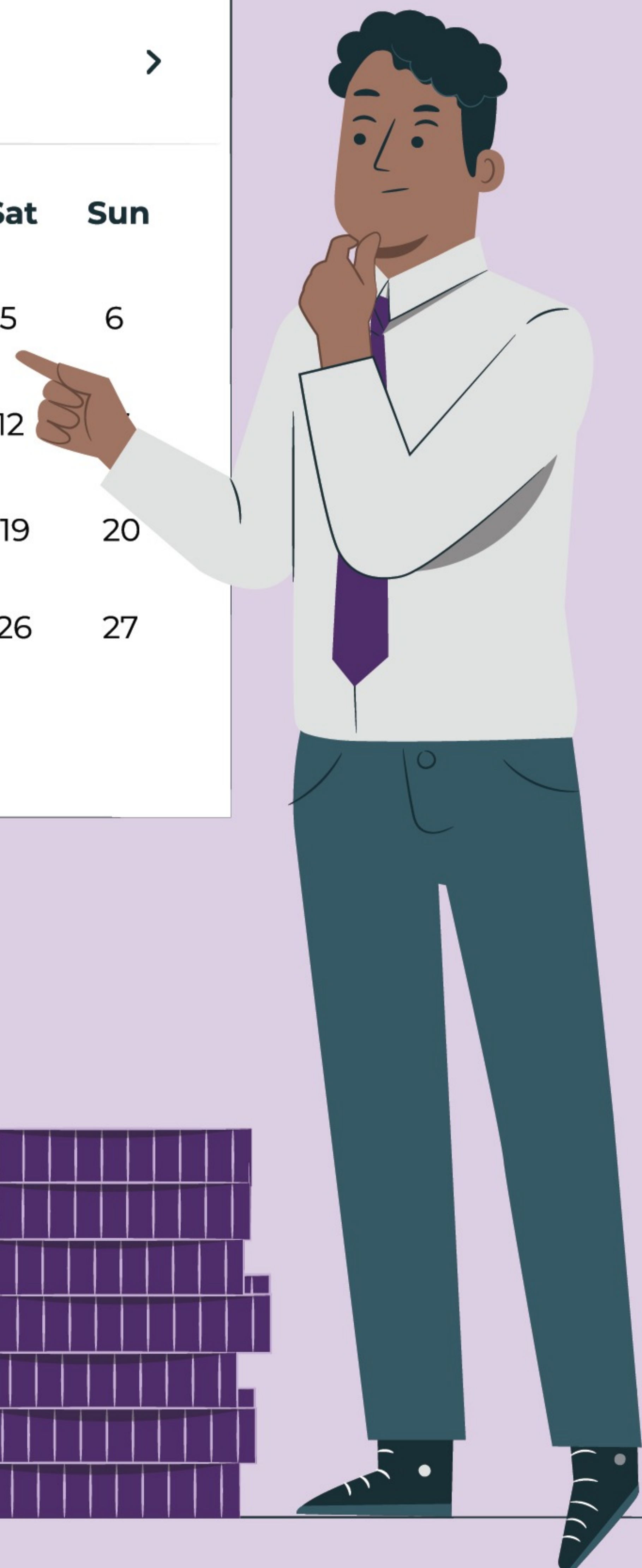
32. Section 32 of ITA 2023

33. Section 55 of ITA 2023

Payroll compliance - employee



< May >						
Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1	2	3	4	5	6
7	8	9	10	11	12	
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			



5. Payroll compliance - employee

5.1. Income tax return

Any individual falling under the following category must file tax return at the end of the tax year:³⁴

1. Individual required to have 12-digit e-TIN even if that person does not have taxable income.
2. If an individual's earning exceeds the maximum tax-free income limit for the year
3. If an individual has been assessed for tax during any of the 3 years preceding the income year
4. A shareholder director or a shareholder employee of a company
5. A partner of a firm
6. A government employee
7. If an individual:
 - Owns a motor car
 - Owns a membership of a club
8. Individuals running a business and has a trade license
9. Registered with a recognized professional body (doctors, lawyers etc.)
10. Registered Income Tax Practitioner
11. Member of a chamber of commerce
12. Candidate for an office of any paurashava, city corporation or an M.P.
13. Anyone participating in government tenders
14. A director of a company
15. Any employee holding an executive or management position in a business or profession
16. Participates in a shared economic activity by providing motor vehicle, space, accommodation, or any other assets
17. Individuals owning any licensed arms

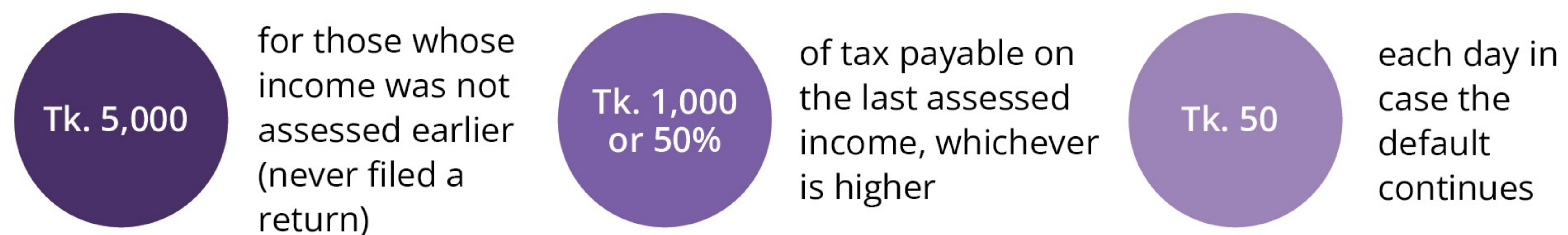
Return of income shall not be mandatory for an individual if the person³⁵:

- is a non-resident individual having no fixed base in Bangladesh.
- any class of persons which the board may exempt from filing the return.

34. Section 166 of ITA 2023

35. Section 166 of ITA 2023

Failure to file income tax return may result in a penalty of³⁶:



Individuals required to file a tax return must pay the balance between the total tax payable on his income less any deductions made at source before or on the date of return filing³⁷. Failure to do so may result in a penalty of 25% of total tax payable or on deficit tax payable³⁸.

In case of foreign individual, tax payable amount is usually determined by tax authorities based on the income actually received during the year or amount due to be received by the individual disclosed in his/ her work permit, whichever is higher.

5.2. Universal self-assessment

Under this scheme, individuals can electronically or manually submit filing of return within the specified deadline and pay tax based on such return. The Deputy Commissioner of Taxes (DCT) will then proceed to issue an acknowledgement of such return and this shall be deemed to be an order of assessment for that assessment year³⁹.

Returns filed under this section may be selected for audit within two years of the end of the assessment year⁴⁰. However, such returns are not selected for audit if they show a 15% increase in income over the last assessed year and are accompanied by:

- Evidence in support of income exempted from tax
- A copy of bank statement
- Account statement of any loan exceeding Tk. 500,000
- Does not include receipt of gift during the year
- Does not show any income chargeable to tax at a rate reduced under Section 44
- Does not show or result in any refund

5.3. Deadline for tax return filing

The last date for filing tax returns for an individual under is 30 November following the end of the income year which is now termed Tax Day⁴¹.

36. Section 266 of ITA 2023

37. Section 173 of ITA 2023

38. Section 271 of ITA 2023

39. Section 180 of ITA 2023

40. Section 197 of ITA 2023

41. Section 2 of ITA 2023

Contributions

The following individuals contributed to the preparation of this document:



Montakim Ahmed
Partner
montakim.ahmed@aceadvisory.biz



Seezan M. Choudhury
Partner
seezan.choudhury@aceadvisory.biz



Rezwan Hamid
Manager
rezwan.hamid@aceadvisory.biz



Anik Das
Manager
anik.das@aceadvisory.biz



Zahid Hasan
Manager
zahid.hasan@aceadvisory.biz



Sardar Islamul Huque
Associate Manager
sardar.islamul@aceadvisory.biz



Iztihad Masrur Chy
Associate Manager
iztihad.masrur@aceadvisory.biz



Sheikh Tanima Madhurjo
Assistant Manager
sheikh.tanima@aceadvisory.biz



Rokshana Akhter
Assistant Manager
rokshana.akhter@aceadvisory.biz

