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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LAW AND LAND REFORMS

Law and Parliamentary Affairs Division

NOTIFICATION

Dhaka, the 5th January, 1984

N. 31-Pub.—The following Ordinance made by the President of the People's Republic of Bangladesh, on the 5th January, 1984, is hereby published for general information :—

THE BANGLADESH INSTITUTE OF NUCLEAR AGRICULTURE
ORDINANCE, 1984

Ordinance No. II of 1984

AN

ORDINANCE

to provide for the establishment of the Bangladesh Institute of Nuclear Agriculture

WHEREAS it is expedient to provide for the establishment of the Bangladesh Institute of Nuclear Agriculture and for matters connected therewith and incidental thereto;

NOW, THEREFORE, in pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :—

1. Short title.—This Ordinance may be called the Bangladesh Institute of Nuclear Agriculture Ordinance, 1984.

(69)

Price : 50 Paisa

2. Definitions.—In this Ordinance, unless there is anything repugnant in the subject or context,—

- (a) "Board" means the Board of the Institute;
- (b) "Chairman" means the Chairman of the Board;
- (c) "Director" means the Director of the Institute;
- (d) "Institute" means the Bangladesh Institute of Nuclear Agriculture established under this Ordinance;
- (e) "member" means a member of the Board;
- (f) "prescribed" means prescribed by rules or regulations made under this Ordinance;
- (g) "regulations" means regulations made under this Ordinance; and
- (h) "rules" means rules made under this Ordinance.

3. Establishment of the Institute.—(1) As soon as may be after the commencement of this Ordinance, the Government shall, by notification in the official Gazette, establish an Institute to be called the Bangladesh Institute of Nuclear Agriculture for carrying out the purposes of this Ordinance.

(2) The Institute shall be a body corporate, having perpetual succession and a common seal, with power, subject to the provisions of this Ordinance, to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

4. Head office, etc.—(1) The Head office of the Institute shall be located at Mymensingh.

(2) The Institute may establish offices at such other places as it may think fit.

5. Management.—(1) Subject to the rules and regulations made under this Ordinance, the general direction, administration and supervision of the affairs of the Institute shall vest in a Board which may exercise all powers and do all acts and things that may be exercised or done by the Institute.

(2) The Board in discharging its functions shall be guided on questions of policy by such instructions as may be given to it by the Government from time to time.

6. Constitution of Board.—The Board shall consist of the following members, namely :—

- (a) the Minister in charge, Ministry of Agriculture, who shall also be the Chairman of the Board;
- (b) the Secretary, Ministry of Agriculture, *ex-officio*, who shall also be the Vice-Chairman of the Board;
- (c) an officer of the Finance Division not below the rank of Joint Secretary to be nominated by that Division;
- (d) the Executive Vice-Chairman, Bangladesh Agricultural Research Council, *ex-officio*;

- (e) the Vice-Chancellor, Bangladesh Agricultural University, *ex-officio*;
- (f) the Chairman, Bangladesh Atomic Energy Commission, *ex-officio*;
- (g) the Chairman, Bangladesh Agricultural Development Corporation, *ex-officio*;
- (h) the Chief of Agriculture Division, Planning Commission, *ex-officio*;
- (i) the Director-General, Agriculture, Department of Agricultural Extension, *ex-officio*;
- (j) the Executive Director, Bangladesh Jute Research Institute, *ex-officio*;
- (k) the Director, Bangladesh Rice Research Institute, *ex-officio*;
- (l) two eminent agricultural scientists engaged in research activity to be nominated by the Government;
- (m) ^{D. G. PARR} the Director, who shall also be the Secretary of the Board.

7. Functions of the Institute.—The functions of the Institute shall be to—

- (a) undertake research adopting nuclear techniques for the purpose of ensuring a stable and productive agriculture through evolution of new varieties of crops, scientific management of land and water, development of appropriate technology to improve quality and quantity of crops, and development of methods for control of disease and insect and management of pest;
- (b) undertake agronomic and soil-plant studies;
- (c) carry out demonstration tests or trial-runs of new varieties of crops and their management practices;
- (d) publish annual reports relating to the activities of the Institute;
- (e) publish agricultural manuals, monographs, bulletins and other literature relating to crop research;
- (f) train research and extension officers in the improved technology of crop production;
- (g) provide post-graduate research facilities;
- (h) organise seminars, symposia and workshops on selected problems relating to agriculture and agricultural research and technology;
- (i) undertake research programmes in collaboration with other national and international agencies and organisations;
- (j) enter into bilateral agreements with foreign institutions for academic degrees, specialized training, scientific visits and exchange programmes; and
- (k) perform such other functions as may be necessary for the purposes of this Ordinance.

8. Meetings of the Board.—(1) The meetings of the Board shall be convened by the Secretary of the Board, in consultation with the Chairman, least once every quarter of a year.

(2) All meetings of the Board shall be presided over by the Chairman and, in his absence, by the Vice-Chairman.

(3) To constitute a quorum at a meeting of the Board not less than six members shall be present.

(4) All matters at a meeting shall be decided by the votes of the majority of the members present and voting.

(5) At a meeting of the Board, each member shall have one vote, and in the event of equality of votes, the Chairman shall have a second or casting vote.

(6) No act or proceeding of the Board shall be invalid merely on the ground of existence of any vacancy in, or any defect in the constitution of, the Board.

9. Director.—(1) There shall be a Director of the Institute who shall be appointed by the Government for such period and on such terms and conditions as the Government may determine.

(2) The Director shall be a full-time officer and the chief executive of the Institute.

(3) The Director shall exercise such powers, and perform such functions, as may be prescribed or assigned to him by the Board.

10. Appointment of officers, etc.—The Board may appoint such officers and other employees as it considers necessary for the performance of its functions on such terms and conditions as it may deem fit.

11. Power to borrow, etc.—The Institute may, for carrying out its functions, borrow money, if necessary, with the approval of the Government.

12. Budget.—The Board shall, by such date before the commencement of every financial year as the Government may direct, submit to the Government for approval a budget, in such form as the Government may specify, for each financial year showing the estimated receipts and expenditure and the sums which are likely to be required from the Government during that financial year.

13. Fund of the Institute.—(1) The Institute shall have its own Fund which shall consist of—

(a) grants made by the Government;

(b) loans obtained from the Government;

(c) grants made by the local authorities; and

(d) grants and aid received, with the approval of the Government, from any aid giving agency.

(2) All moneys of the Institute shall be kept in a scheduled bank.

14. Audit and accounts.—(1) The Board shall maintain its accounts in such manner as the Government may specify.

(2) The accounts of the Board shall be audited by the Comptroller and Auditor-General of Bangladesh (hereinafter in this section referred to as the Auditor-General), in such manner as he deems fit.

(3) For the purpose of an audit under sub-section (2), the Auditor-General or any person authorised by him in this behalf shall have access to all records, books, documents, cash, securities, stores and other property of the Institute and may examine the Chairman or any member, Director, officer or employee of the Board.

(4) The Auditor-General shall, as soon as possible after completion of the audit, send to the Board his audit report and the Board shall forward it, with its comments thereon, to the Government.

(5) The Board shall take steps forthwith to remedy any defects or irregularities pointed out in the audit report.

15. Submission of reports, etc.—(1) The Board shall submit to the Government, as soon as possible after the end of every financial year, a report on the conduct of its affairs for that year.

(2) The Board shall submit to the Government at such time and at such interval as the Government may specify—

- (a) such returns, accounts, statements, estimates and statistics as may be required by the Government;
- (b) information and comments asked for by the Government on any specific subject;
- (c) copies of documents required by the Government for examination or any other purpose.

16. Committees of the Institute.—The Board may, from time to time, appoint such committees as may be necessary to discharge such functions as may be assigned to them by the Board or to assist the Director in the performance of his functions.

17. Power to make rules.—The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

18. Power to make regulations.—(1) The Board may, with the prior approval of the Government, make regulations, not inconsistent with the provisions of this Ordinance and the rules, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Ordinance.

(2) All regulations made under this section shall be published in the official Gazette and shall come into force on such publication.

19. Savings.—Notwithstanding anything contained in any other law for the time being in force or in any contract or instrument, on the establishment of the Institute,—

- (a) the Institute of Nuclear Agriculture, hereinafter referred to as the dissolved Institute, shall stand dissolved;

- (b) all assets, rights, powers, authorities and privileges, all property, movable and immovable, cash and bank balances, funds, investments and all other rights and interests in, or arising out of, such property of the dissolved Institute shall stand transferred to and vest in the Institute;
- (c) all debts, liabilities and obligations of the dissolved Institute shall be the debts, liabilities and obligations of the Institute;
- (d) all officers, consultants, advisers and other employees of the dissolved Institute shall become officers, consultants, advisers and employees of the Institute and shall hold office or service in the Institute on the same terms and conditions as were enjoyed by them immediately before such establishment and shall continue to do so until their remuneration or terms and conditions are duly altered by the Institute;
- (e) all suits and other legal proceedings instituted by or against the dissolved Institute before such establishment shall be deemed to suits and proceedings by or against the Institute and shall be proceeded or otherwise dealt with accordingly.

DHAKA;

The 28th December, 1983.

H M ERSHAD, ndc, psc
LIEUTENANT GENERAL
President.

M. ABUL BASHAR BHUIYA
Deputy Secretary (Drafting).

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