

THE BANGLADESH RICE RESEARCH INSTITUTE ACT, 1973

(ACT NO. X OF 1973).

[30th June, 1973]

An Act to provide for the establishment of the Bangladesh Rice Research Institute.

WHEREAS it is expedient to provide for the establishment of a Rice Research Institute for the purpose of carrying out research for improved cultivation of lands and production and evolution of improved varieties of rice, and for matters connected therewith or incidental thereto;

It is hereby enacted as follows:-

Short title, extent and commencement 1. (1) This Act may be called the Bangladesh Rice Research Institute Act, 1973.

(2) It extends to the whole of Bangladesh.

(3) It shall come into force at once and shall be deemed to have taken effect on the 5th May, 1973.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,-

(a) "assets" include all rights, powers, authorities and privileges, all property, movable and immovable, including cash balances, bank deposits, reserve fund, investments and all other rights and interests in, or arising out of, such property and all books of accounts, registers, records and all other documents of whatever nature relating thereto;

(b) "Board" means the Board of 1[Management] of the Institute;

(c) "Chairman" means the Chairman of the Board;

2[(d) "Council" means [] established by [] ([]);

(dd) "Director-General" means Director-General of the Institute;]

(e) "Government" means the Government of the People's Republic of Bangladesh;

(f) "Institute" means the Bangladesh Rice Research Institute established under section 3; and

(g) "Prescribed" means prescribed by rules or regulations made under this Act.

Establishment and incorporation of the Institute

3. (1) On the coming into force of this Act, there shall be established an institute to be called the Bangladesh Rice Research Institute for carrying out the purposes of this Act.

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

(3) The Head Office of the Institute shall be at Joydevpur in the District of 3[Gazipur].

Functions of the Institute

4. The functions of the Institute shall be to-

(a) take over, administer and maintain the former East Pakistan Rice Research Institute established at Joydevpur, Dacca, together with all assets thereof;

(b) carry out research on various aspects of rice improvement and production;

(c) establish research centres and sub-stations in different regions of Bangladesh for carrying out research on different problems of rice;

(d) establish project areas for demonstration of new varieties of rice developed by the Institute and training of farmers for the cultivation of these varieties of rice;

(e) publish annual reports, monographs, bulletins and such other literatures relating to rice research and the activities of the Institute;

(f) establish a laboratory and a library in the Institute;

(g) train extension officers and progressive farmers in modern improved techniques of rice production;

(h) do and perform all other activities which may be necessary for the achievement of the objects of the Institute.

General direction of the affairs and functions of the Institute

5. (1) Subject to the rules and regulations, the general direction of the affairs and functions of the Institute shall vest in a Board which shall have full authority to determine and execute the policies and undertakings of the Institute within the frame-work of the policy directives issued by the Government.

(2) Without prejudice to the generality of the foregoing provisions, the Board shall, in particular, have power to-

(a) exercise general supervision over the affairs of the Institute;

(b) approve the course of study of the Institute in broad outline;

(c) request for, and receive, grants-in-aid from the Government and other aid-giving agencies;

(d) borrow money in Bangladesh or any foreign currency;

(e) approve budget for submission to the Government for final approval and obtain funds from the Government to carry out the purposes of the Institute.

Tenure of membership, resignation etc

6B. (1) The members specified in clause (g) of section 6A(1) shall hold office for a period of three years from the date of their nomination:

Provided that such members may resign their membership in writing addressed to the Chairman.

(2) A person shall cease to be a member, if he-

(a) dies; or

(b) being a member specified in clause (g) of section 6A(1)-

(i) resigns his membership under the proviso to sub-section (1) of this section; or

(ii) his tenure expires under sub-section (1) of this section; or

(iii) remains absent, without permission of the Chairman, from three consecutive meetings of the Board; or

(c) is declared by a competent court to be of unsound mind; or

(d) is an undischarged insolvent; or

(e) has been, on conviction for a criminal offence involving moral turpitude, sentenced to imprisonment for a term of not less than three months or to a fine not less than five thousand taka and unless a period of two years has elapsed since his release or realisation of the fine, as the case may be, a person so sentenced shall not be eligible to be a member.]

Meetings of the Board

7. (1) The meetings of the Board shall be convened by the Secretary of the Board, in consultation with the Chairman, at least once in a quarter of the year but meetings may be convened as frequently as may be necessary.

(2) At least fourteen days' notice shall be given for convening a meeting of the Board and such notice shall be sent under the signature of the Secretary of the Board stating the date on, and the time and place at, which the meeting shall be held.

(3) Emergency meetings may be convened on twenty-four hours' notice.

(4) The Chairman shall preside over all meetings of the Board; and if for any reason he is unable to preside over a meeting, a member elected by the members present shall preside over that meeting.

(5) Four members shall form a quorum of a meeting.

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

(7) Each member of the Board shall have one vote, and in the event of equality of votes, the Chairman 5[or the member presiding over the meeting] shall have a casting vote.

[Omitted] 8. [Allowances of Members.- Omitted by section 6 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996).]

Director-General

6[9. (1) There shall be a Director-General of the Institute who shall be appointed by the Government on such terms and conditions as the Government may determine.

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

Powers and functions of the 7[Director-General]

10. (1) The 8[Director-General] shall, subject to the approval of the Board, have power to-

9[* * *]

(c) prepare annual budget;

(d) acquire, subject to the budget provisions of the Institute, by purchase or otherwise, properties, whether movable or immovable, for the maintenance of the Institute.

(e) construct or alter any building for, or of, the Institute; and

(f) open a deposit account with any bank and operate the same as per decision of the Board from time to time.

(2) The 10[Director-General] shall exercise such other powers and perform such other functions and discharge such other duties as may be determined by the Board.

Committees of the Institute

11. (1) 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 11[Director-General] in the performance of his functions.

(2) Each committee shall be headed by a Chairman and shall consist of such members as may be determined by the Board.

(3) The Chairman and members of a committee shall hold office for such period as the Board may determine.

Appointment of Advisers, Directors, officers etc 12 Audit

12[11A. For the efficient performance of the functions of the Institute-

(a) the Government may appoint such number of Directors and on such terms and conditions as it may determine from time to time;

(b) the Board may appoint such number of advisers, officers and other employees and on such terms and conditions as it determine from time to time.]

Audit

12. The accounts of the Institute shall be audited by the Comptroller and Auditor-General.

Public servant, etc

13. (1) The 13[Director-General, advisers, Directors and other officers and employees] of the Institute shall, while acting or purporting to act in pursuance of any provision of this Act or rules and regulations made thereunder, be deemed to be public servants within the meaning of section 21 of the Penal Code (Act XLV of 1860).

(2) The Institute shall not be construed as a “shop” or “commercial establishment” or a “factory” or an “industrial establishment” or “industry” within the meaning of the Shops and Establishments Act, 1965 (Act VII of 1965), the Factories Act, 14[1965 (E. P.Act IV of 1965)] or the Industrial Relations Ordinance, 1969 (Ord. 15[XXIII] of 1969).

Dissolution of the Board of Governors of the former East Pakistan Rice Research Institute

14. Upon the commencement of this Act, the Board of Governors of the former East Pakistan Rice Research Institute, Joydevpur, Dacca, registered under the Societies Registration Act, 1860 (Act XXI of 1860), shall, notwithstanding anything contained in that Act, stand dissolved, and upon such dissolution-

(a) all assets of the Board of Governors of the former East Pakistan Rice Research Institute shall stand transferred to, and vested in, the Institute;

(b) such liabilities or class of liabilities of the Board of Governors of the former East Pakistan Rice Research Institute as the Government may direct shall become the liabilities of the Institute:

Provided that the Government may reduce any such liabilities or class of liabilities by such amount as it may deem fit;

(c) The Government may, by order, transfer to the Institute such officers, employees, staff, consultants and advisers of the Board of Governors of the former East Pakistan Rice Research Institute as the Government may deem fit on terms and conditions to be prescribed by the Government.

Power to make rules

15. The Government may, by notification in the official Gazette, make rules for the purpose of giving effect to the provisions of this Act.

Power to make regulations

16. (1) The Board may, with the previous approval of the Government, make regulations, not inconsistent with the provisions of this Act 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 Act.

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

Repeal

17. The Bangladesh Rice Research Institute Ordinance, 1973 (Ord. VI of 1973), is hereby repealed.

1 The word “Management” was substituted for the word “Governors” by section 2 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

2 Clause (d) was substituted by section 2 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

3 The word “Gazipur” was substituted for the word “Dacca” by section 3 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

4 Section 6, 6A and 6B were substituted for former section 6 by section 4 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

5 The words “or the member presiding over the meeting” were inserted by section 5 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

6 Section 9 was substituted by section 7 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

7 The word “Management” was substituted for the word “Governors” by section 2 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

8 The words “Director-General” were substituted for the word “Director” by section 8 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

9 The words “Director-General” were substituted for the word “Director” by section 8 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

10 The words “Director-General” were substituted for the word “Director” by section 8 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

11 The words “Director-General” were substituted for the word “Director” by section 9 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

12 Section 11A was inserted by section 10 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

13 The words and commas “Director-General, advisers, Directors and other officers and employees ” were substituted for the words and commas “Director, officers, advisers, employees and other staff” by section 11 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

14 The figures, words and brackets “1965 (E.P. Act IV of 1965)” were substituted for the figures, words and brackets “1934 (Act XXV of 1934)” by section 11 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

15 The figure “XXIII” was substituted for the figure “XIII” by section 11 of the Bangladesh Rice Research Institute (Amendment) Act, 1996 (Act No. V of 1996)

