

**Act LIII of 1990**  
**The River Research Institute Act, 1990**

**Act No. 53 of 1990**

**An Act made to establish a River Research Institute**

Whereas it is expedient to establish a River Research Institute;

Therefore the following Act is herewith made:-

**1. Short title.-** This Act shall be called River Research Act, 1990.

**2. Definitions.-** Unless there is anything repugnant in the subject or context, in this Act-

- a) "Institute" means the River Research Institute established under this Act;
- b) "Chairman" means the Chairman of the Managing Board of the Institute;
- c) "Board" means the Managing Board of the Institute;
- d) "Director-General" means the Director-General of the Institute;
- e) "member" means member of the Board.

**3. Establishment of the River Research Institute.-** (1) This Act having come into force, the Government shall, as fast as possible, by notification in the official Gazette, establish an institute called River Research Institute for the purpose of this Act.

(2) The Institute shall be a statutory corporation and it shall have perpetual succession and a common seal and it shall have, subject to this Act and rules, power to acquire, possess, and transfer property, whether movable or immovable, and suits may be filed by, or against it.

**4. Head-office of the Institute.-** The head-office of the Institute shall be situated in Faridpur and it may, if necessary, after previous approval of the Government, establish sub-offices at any place.

**5. Management and administration.-** (1) The management and administration of the Institute shall be entrusted to the Managing Board and the Board may exercise all the powers and perform all the functions the Institute may exercise or perform.

(2) The Institute shall discharge its responsibilities in accordance with the policies of the Government.

**6. Managing Board.-** (1) The Managing Board shall consist of the following members, namely:-

- a) the Minister in charge of the Ministry or Department of irrigation, water-development and flood control, who shall also be its Chairman;
- b) the Chairman, Zila Parishad, Faridpur;
- c) a member of the National Assembly nominated by the Government;
- d) a secretary of the ministry or department of irrigation, water-development and flood control;
- e) a secretary of the ministry or department of navigation;
- f) the vice-chancellor of the technical university of Bangladesh;
- g) the Chairman of the Water Development Board of Bangladesh;

h) two technicians/scientists of hydroponics nominated by the Government;  
i) the Director-General of the Institute, who shall also be its secretary.

(2) The two members nominated under clause h) of subsection (1) shall remain on their posts for a period of two years beginning with the date of their nomination:

Provided that the Government may at any time, without showing any reason, remove any of those members from their posts before the expiry of that period:

Provided further that any of those members may resign his post by sending a signed letter to the Government.

**7. Duties of the Institute.-** The Institute shall have the following duties, namely:-

a) to control, by means of geographical models, the preparation of maps required for river regulation, prevention of embankment breaks, flood control and irrigation and drainage, and to control, by means of geographical models, river mechanics, measures to counter the silting up of rivers and researches on estuaries and tidings of rivers;

b) to control, by means of statistical models, the currents and area of water distribution of rivers destined for the raising of water reserves, hydrology, the use of surface and ground water and adjacent subjects, especially the ratio of saltiness and the quality of water;

c) to examine the equipment used in constructions made for the purpose of river regulation, prevention of embankment breaks, flood control, and irrigation and drainage, and to examine and evaluate the standard of the constructions;

d) to direct training programs relating to the abovementioned subjects, and to publish bulletins and reports on allied technical subjects;

e) to advise the Government, local authorities or other institutions on any of the abovementioned subjects;

f) to co-operate with such domestic or foreign institutes as are, according to their duties, appointed to the same kind of works, and to direct joint programs;

g) to take all measures necessary to fulfil the abovementioned duties.

**8. Meetings of the Board.-** (1) Subject to the other provisions of this section, the Board may determine the proceeding of its meetings.

(2) The meetings of the Board shall be held at such times and places as may be determined by the Chairman.

(3) All meetings of the Board shall be presided over by the Chairman and, in his absence, by any other member authorized in writing by the Chairman.

(4) To constitute a quorum at a meeting of the Board, the number of members present shall be five.

(5) Each member of the Board shall have one vote and, in the event of equality of votes, the person presiding shall have a second or casting vote.

(6) No act or proceeding of the Board shall be invalid or called in question on the ground of any vacancy in the post of any member, or any deficiency in the constitution of the Board.

**9. Committees.-** The Board may appoint one or several committees which shall render it support to fulfil its duties.

**10. Fund of the Institute.-** (1) The Institute shall have a fund and the following amounts of money shall be credited to it, namely:-

a) grants from the Government;

b) grants from local authorities;

c) loans taken after the prior approval of the Government;

d) money acquired through the sale of properties of the Institute;

e) money from any other source.

(2) This fund shall be deposited in the name of the Institute with a scheduled bank and money shall be withdrawn from this fund in the ways prescribed by law.

(3) The necessary expenditure of the Institute shall be defrayed from this fund.

(4) The Institute may invest this fund with any account approved by the Government.

**11. Budget.-** The Institute shall every year, within the period determined by the Government, send an annual budget statement of the following financial year to the Government and in this statement shall be mentioned which amount of money the Institute may require from the Government in the said financial year.

**12. Maintenance and auditing of accounts.-** (1) The Institute shall maintain its accounts properly and it shall prepare an annual report of its accounts.

(2) The Controller and Auditor General of Bangladesh, henceforth called Auditor General, shall audit the accounts of the Institute and send a copy of the audit report to the Government and the Institute, respectively.

(3) The Auditor General or any other person authorized by him in this behalf may, for the purpose of auditing accounts in accordance with subsection (2), investigate all the records, credentials, money, in cash or deposited with a bank, securities, stocks and other kinds of assets and he may examine any member or any officer or employee of the Institute.

**13. Report.-** (1) The Institute shall send every year before the thirtieth of June a report to the Government, together with the account books of the proceedings of the preceding year.

(2) The Government may, if necessary, at any time call for reports and statements from the Institute on any subject regarding the Institute and the Institute shall be bound to furnish those reports and statements to the Government.

**14. Managing Director.-** (1) There shall be a Managing Director of the Institute.

(2) The Managing Director shall be appointed by the Government and the Government shall determine the conditions of his employment.

(3) If a vacancy occurs in the office of the Managing Director or if the Managing Director is unable to discharge the functions of his office on account of absence, illness or any other cause, such person as may be nominated by the Government may discharge the functions of the Managing Director until a new Managing Director appointed to fill such vacancy enters upon his office or until the Managing Director resumes the functions of his office.

(4) The Managing Director shall be the wholetime chief executive officer of the Institute and he shall-

a) be responsible for the execution of the decisions of the Board;

b) perform all the other duties of the Institute in accordance with the directions of the Board.

**15. Appointment of officers and employees.-** The Institute may appoint the officers and employees it requires to perform its functions properly and the conditions of their employment shall be determined by regulations.

**16. Preservation of actions taken in good faith.-** If by any action taken in good faith under this Act or any rule or any regulation any person suffers, or is likely to suffer, any loss, it shall not be possible to institute, therefore, any civil or criminal suit or any other legal proceeding against the Board or any member or the Managing Director or any other officer or employee of the Institute.

**17. Delegation of powers.-** The Board may, subject to well defined conditions, delegate any of its powers or duties to the Chairman or any other member or to the Managing Director or any other officer of the Institute.

**18. Public servant.-** The Chairman, the other members, the Managing Director and the other officers and employees of the Institute shall be deemed public servants in the sense in which the term public servant is used in section 21 of the Penal Code (Act XLV of 1860).

**19. Institute not to be considered as a shop etc. .-** Notwithstanding anything contained in any other Act for the time being in force, the Institute shall not be deemed a "shop", "commercial establishment", "factory" or "industry" within the meaning of the Shops and Establishments Act, 1965 (E.P. Act VII of 1965), the Factories Act, 1965 (E.P. Act IV of 1965) or the Industrial Relations Ordinance, 1969 (XXIII of 1969).

**20. Power to make rules.-** The Government may, by notification in the official Gazette, make rules for the purposes of this Act.

**21. Power to make regulations.-** The Board may, after prior approval of the Government and by notification in the official Gazette, make such regulations as are not inconsistent with this Act or any rule for the purposes of this Act.