

রেজিস্টার্ড নং ডি এ-১ “জাতির পিতা বঙ্গবন্ধু শেখ মুজিবুর রহমানের
জন্মশতবার্ষিকী উদযাপন সফল হোক”

বাংলাদেশ



গেজেট



অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, সেপ্টেম্বর ১৭, ২০২০

Government of the People's Republic of Bangladesh

Ministry of Agriculture

NOTIFICATION

Dated : 16 September, 2020

S. R. O. No. 255-Law/2020.—In exercise of the power conferred by section 28 of the Bangladesh Rice Research Institute Act, 2017, the Government is pleased to publish the following English Text of the Act to be called the authentic English Text of the Act.

Act No. XIX of 2017

An Act to repeal and re-enact the Bangladesh Rice Research Institute Act, 1973 by updating the provisions thereof for the purpose of increasing the production of rice, inventing the improved and high yielding varieties through agricultural and technological research and for carrying out research on the matters incidental thereto

Whereas it is expedient and necessary to repeal and re-enact the Bangladesh Rice Research Institute Act, 1973 (Act No. X of 1973) by updating the provisions thereof for the purpose of increasing the production of rice, inventing the improved and high yielding varieties through agricultural and technological research and for carrying out research on the matters incidental thereto;

(৯০৯১)

মূল্য : টাকা ১৬.০০

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the Bangladesh Rice Research Institute Act, 2017.

(2) It shall come into force at once.

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

- (1) **“Institute”** means the Bangladesh Rice Research Institute established under section 3;
- (2) **“Council”** means the Bangladesh Agricultural Research Council established under section 3 of the Bangladesh Agricultural Research Council Act, 2012 (Act No. XIII of 2012);
- (3) **“Chairman”** means the Chairman of the Board;
- (4) **“regulations”** means regulations made under this Act;
- (5) **“rules”** means rules made under this Act;
- (6) **“Board”** means the Board constituted under section 7;
- (7) **“Director General”** means the Director General of the Institute.

3. Establishment of the Institute.—(1) The Bangladesh Rice Research Institute established under the Bangladesh Rice Research Institute Act, 1973 (Act No. X of 1973), shall continue to be in force as if it had been established under 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 property, both movable and immovable, and shall by the said name sue and be sued.

4. Head office and centres of the Institute.—(1) The head office of the Institute shall be in the district of Gazipur.

(2) The Institute may, with the prior approval of Government, establish its regional centres and sub-centres at any place in Bangladesh.

5. Functions of the Institute.—For carrying out the purposes of this Act, the functions of the Institute shall be as follows, namely :—

- (1) to undertake research programmes on various issues related to the increase of rice production and inventing improved and high yielding varieties in cooperation with national and international institutions and organizations;
- (2) to establish such number of laboratories and libraries as may be required;
- (3) to arrange exhibition of new varieties of rice and technology developed by the Institute and select areas and take scheme for training of the farmers;
- (4) to impart training to government or non-government employees, farmers, local and foreign researchers on advanced technologies in rice production;
- (5) to create opportunities for postgraduate research;
- (6) to organize seminars, symposiums and workshops for exchanging opinion about problems identified by experts of various research institutes and, in case of rice, creating opportunities for the participants to be introduced with latest inventions;
- (7) to undertake research activities of rice to address the risks caused by climate change;
- (8) to invent varieties of rice immune from diseases, insects and pests and resistant to drought, salinity, water-logging, cold, heat and other adversities through application of biotechnology in rice research and evolve production-related technology;

- (9) to collect, preserve, evaluate rice germ plasm and conduct development activities thereof and ensure intellectual property right;
- (10) to conduct research on agricultural mechanization, nutrition, supply and value chain as well as socio-economic development;
- (11) to produce and supply sufficient breeder seeds for rapid dissemination of varieties of rice invented by the Institute;
- (12) to use ICT in research of rice, education and extension thereof;
- (13) to develop different varieties of rice and technologies locally used by the farmers through scrutiny;
- (14) to publish monographs, bulletins, crop-calendars and other information related to rice research;
- (15) to perform such other functions as may be assigned to it, from time to time, subject to the directions given by the Government; and
- (16) to perform such other functions as may be required.

6. Compliance with the directions given by the Council.—(1) Notwithstanding anything contained in any other provision of this Act, the Institute shall comply with the directions, recommendations or advice given by the Council :

Provided that if it appears to the Institute that it is not possible to comply with such recommendations or advice it shall, without any delay, communicate its opinion with reasons therefore to the Council.

(2) The Council may, after consideration of the opinion received under the proviso of sub-section (1) from the Institute, amend or rescind its recommendations or advice or issue fresh recommendations or advice on the issue.

7. Constitution of the Board.—(1) The Board of the Institute shall consist of the following members, namely :—

- (a) the Director General, who shall also be the Chairman of the Board;
- (b) a representative, not below the rank of a Deputy Secretary, to be nominated by the Finance Division;
- (c) a representative, not below the rank of a Deputy Secretary, to be nominated by the Ministry of Agriculture;
- (d) a representative, not below the rank of a Director, to be nominated by the Council;
- (e) a representative, not below the rank of a Director, of the Department of Agricultural Extension, to be nominated by the Ministry of Agriculture;
- (f) a Director of Bangladesh Institute of Nuclear Agricultural Science;
- (g) one senior scientist of the Institute engaged in rice research, to be nominated by the Ministry of Agriculture;
- (h) two eminent scientists, from outside the Institute, one in any social science and the other in the field pertaining to the speciality of the Institute, to be nominated by the Government;
- (i) two representatives, to be nominated by the Institute who are engaged in agriculture related works, one of whom an experienced farmer and the other a representative of a non-government organization; and
- (j) the Directors of the Institute, among whom the senior most Director shall be the Member-Secretary of the Board.

(2) The members nominated under clauses (g) to (i) of sub-section (1) shall hold office for a term of 3 (three) years from the date of their nomination :

Provided that the Government or, as the case may be, the Institute may, at any time, terminate any members so nominated from his membership, without showing cause, or any member so nominated may resign his membership by writing under his hand addressed to the Government or the Institute, as the case may be.

8. Functions of the Board.—The functions of the Board shall be as follows, namely :—

- (1) to determine the subject-matter of research;
- (2) to supervise the functions of the Institute and give directions;
- (3) to make policy decisions of the Institute;
- (4) to approve the proposed policies and work-plans of the Institute;
- (5) to approve proposals to receive grants-in-aid from the Government or from any other sources;
- (6) to approve proposal for borrowing;
- (7) to approve proposed budget for the approval of the Government;
- (8) to approve proposal for awarding fellowship;
- (9) to approve proposal for financial assistance for higher education or research in abroad;
- (10) to approve projects.

9. Meetings of the Board.—(1) Subject to other provisions of this section, the Board may determine the procedure of its meetings.

(2) The Board shall hold its meetings in every 4 (four) months and the date, time and place of the meetings shall be determined by the Chairman.

(3) The Member-Secretary of the Board shall convene every meeting of the Board by a notice in writing, with the consent of the Chairman.

(4) The Chairman shall preside over all the meetings of the Board, but in his absence, a member elected by the members present may preside over the meetings.

(5) To constitute a quorum at a meeting of the Board, the presence of at least half of the total members of the Board shall be required, but no quorum shall be required in case of adjourned meeting.

(6) Each member present at the meetings of the Board shall have one vote and the decision shall be taken on the basis of the majority of votes, but in the event of equality of votes, the person presiding shall have a casting vote.

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

10. Director General.—(1) There shall be a Director General of the Institute.

(2) The Director General shall be appointed by the Government and the terms and conditions of his service shall be determined by the Government.

(3) The Director General shall be the Chief Executive of the Institute and he shall—

- (a) exercise the powers and perform the functions assigned to him by the Board;
- (b) be responsible for implementing all decisions of the Board; and
- (c) discharge the duties assigned to him, from time to time, by the Government.

(4) If a vacancy occurs in the office of the Director General or if the Director General is unable to discharge the functions of his office on account of absence, illness or any other cause, the member appointed by the Government shall discharge the functions of the Director General until a newly appointed Director General holds his office or the Director General resumes the functions of his office.

11. **Director, advisor and consultant.**—The Institute shall have such number of directors, advisors and consultants as may be required for the efficient performance of its functions, and they shall be appointed, and the terms and conditions of their services shall be determined, by the Government.

12. **Appointment of employees.**—(1) The Institute may, subject to the organogram approved by the Government, may appoint such number of employees, as it considers necessary for the efficient performance of its functions.

(2) The appointment of the employees and the terms and conditions of their services shall be prescribed by regulations.

13. **Fund.**—The Institute shall have a fund consisting of moneys received from the following sources, namely :—

- (a) grants and grants-in-aid made by the Government;
- (b) loans taken;
- (c) grants-in-aid made by a local authority;
- (d) grants-in-aid received from any local or foreign development agency, with the prior approval of the Government;
- (e) proceeds from the Institute's own source.

(2) All the money of the fund shall be deposited in any Scheduled Bank in the name of the Institute and the fund shall be operated in such manner as may be prescribed by rules.

Explanation.— “Scheduled Bank” means the Scheduled Bank as defined in Article 2(j) of the Bangladesh Bank Order, 1972 (P. O. No. 127 of 1972).

(3) The necessary expenditures of the Institute may be borne from the fund in such manner as may be prescribed by rules.

14. **Budget.**—The Institute shall, by such date in each year as may be specified by the Government, submit a budget statement to the Government for approval for the next financial year showing the estimated receipt and expenditure and mentioning the sums which are likely to be required from the Government for that financial year.

15. **Audit and Accounts.**—(1) The Institute shall maintain its accounts in such manner as may be determined by the Government and prepare an annual statement of account.

(2) The Comptroller and Auditor General of Bangladesh shall audit the accounts of the Institute every year and send a copy of the audit report to the Government and the Institute.

(3) For the purpose of an audit under sub-section (2), the Comptroller and Auditor General of Bangladesh or any person authorized by him in this behalf, shall have access to all records, deeds, documents, cash or bank-deposits, securities, stores and other properties and may examine any member of the Board or any employee of the Institute.

(4) Notwithstanding the audit under sub-section (2), the accounts of the Institute shall have to be audited by a Chartered Accountant as defined under Article 2 (1) (b) of the Bangladesh Chartered Accountants Order, 1973 (P. O. No. 2 of 1973) and, for this purpose, the Institute may appoint one or more such Chartered Accountants.

(5) The Institute shall, as soon as possible, take steps to remedy any defects or irregularities, if any, identified in the audit report.

16. **Report.**—(1) The Institute shall, within next 4 (four) months from the expiry of each financial year, submit to the Government an annual report on the conduct of its affairs for that year, and the Government shall cause the same to be laid before Parliament.

(2) The Government may, if necessary, require the Institute to submit report or statement on any matter of the Institute, at any time and the Institute shall be bound to submit it to the Government.

17. **Committee.**—The Institute may form one or more committees in order to provide assistance in discharging its duties.

18. **Power to borrow.**—For carrying out the purposes of this Act, the Institute may, with the prior approval of the Government, borrow loans and, shall be bound to repay the same.

19. **To enter into contract.**—For carrying out the purposes of this Act, the Institute may, with the prior approval of the Government, enter into a contract.

20. **Foreign training and higher education.**—(1) The Institute may, subject to the approval of the Board, arrange, necessary foreign training and higher education for its scientists in accordance with the existing rules and regulations.

(2) If any scientist is nominated for training or research by an internationally recognized institution and if financial assistance is required to him for the purpose, the Institute may, with the prior approval of the Government, provide the assistance in full or in part.

21. **Appointment of researchers or technologists.**—The Institute, if not capable with its own manpower, may, with the prior approval of the Government, appoint researchers or technologists through open competition in order to resolve any problem emerged in relation to rice, or to develop any technology or techniques for increasing the production of rice.

22. **Awarding fellowship.**—The Institute may, with the prior approval of the Government, award fellowships to individuals who have obtained degrees with distinction in different fields of agricultural science from universities recognized by the Government, so as to build them up as skilled scientists, researchers, and technologists in any matter related to the purpose of the Institute.

23. **Delegation of powers.**—The Board may, if necessary, by an order in writing and subject to such conditions as may be specified in the order, delegate any of its powers, to any member, employee or any committee thereof.

24. **Public servant.**—All employees, advisors and consultants of the Institute and any person authorized to do any work on behalf of the Institute shall be deemed to be public servant within the meaning of section 21 of the Penal Code (Act No. XLV of 1860).

25. **Power to make rules.**—For carrying out the purposes of this Act, the Government may, by notification in the official Gazette, make rules.

26. **Power to make regulations.**—For carrying out the purposes of this Act, the Institute may, with the prior approval of the Government, by notification in the official Gazette, make regulations not inconsistent with this Act or rules.

27. **Repeal and savings.**—(1)The Bangladesh Rice Research Institute Act, 1973 (Act No. X of 1973), hereinafter referred to as the Act, is hereby repealed.

(2) Notwithstanding such repeal under sub-section (1)—

- (a) any act done or any measure taken, any notice issued, any budgetary estimate, scheme or project prepared under the Act shall be deemed to have been done, taken, issued or prepared under this Act;
- (b) any rules or regulations made, any order, notice or notification issued under the Act shall remain in force until repealed or amended and shall be deemed to have been made or issued under this Act;

(3) Upon the repeal of the Act—

- (a) all assets, rights, powers, authorities, privileges and all movable and immovable properties, cash and bank-deposits, other claims and rights, all books of accounts, registers, records and others documents of the Institute established under the Act shall be deemed to be the assets, rights, powers, authorities, privileges, movable and immovable properties, cash and bank-deposits, claims and rights, books of accounts, registers, records and documents of the Institute;

- (b) all debts, liabilities and obligations and all contracts made by, on its behalf of, or with the Institute established under the Act, shall be deemed respectively to be the debts, liabilities and obligations of, and the contracts made by, on behalf of, or with it;
- (c) all suits or legal proceedings initiated by or against the Institute established under the Act shall be deemed to have been initiated by or against the Institute;
- (d) all employees of the Institute established under the Act shall be deemed to be the employees of the Institute and shall remain in service on the same terms and conditions as were applicable to them immediately before the commencement of this Act, until the conditions of their services are altered by the Institute under the provisions of this Act.

28. Publication of an Authentic English Text.— (1) After the commencement of this Act, the Government may, by notification in the official Gazette, publish an Authentic English Text of this Act.

(2) In the event of conflict between the Bangla and the English Text, the Bangla Text shall prevail.

By order of the President

MD. NASIRUZZAMAN

Secretary.