

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



অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

মঙ্গলবার, জানুয়ারি ৫, ২০২১

Government of the People's Republic of Bangladesh
Ministry of Agriculture
NOTIFICATION

Date : 30 December, 2020

S.R.O. No. 347-Law/2020.—In exercise of the powers conferred by section 28 of the Bangladesh Jute 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 :

The Bangladesh Jute Research Institute Act, 1974
Act No. XVI of 2017

An Act to repeal and re-enact the Bangladesh Jute Research Institute Act, 1974 by updating the provisions thereof with amendments

WHEREAS it is expedient and necessary to repeal and re-enact the Bangladesh Jute Research Institute Act, 1974 by updating the provisions thereof, for the purpose of inventing the improved and high yielding varieties of jute and allied fibre crops, developing various technology to facilitate the production of jute, developing technology for diversified use of jute through agricultural and technological research and for conducting research on the matters ancillary thereto;

(৬৫)
মূল্য : টাকা ১২.০০

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Bangladesh Jute 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 Jute 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 Jute Research Institute, established under the Bangladesh Jute Research Institute Act, 1974 (Act No. XIII of 1974), 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, and 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. **Office and Centre of the Institute.**—(1) The Head Office of the Institute shall be in Dhaka.

(2) The Institute may, with the prior approval of the 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 :—

- (a) to control, develop and conduct agricultural, technological and economic research on jute and allied fibre crops and their productions and dissemination of results thereof;
- (b) to produce, test, supply, manage improved varieties of jute seeds by maintaining improved genetic purity and to produce and collect improved pedigree of jute seeds in limited way and to distribute those to the selected growers, recognized organizations and such other agencies as may be approved by the Board;
- (c) to implement pilot projects in different regions of the country for the research of jute and allied fibre crops, jute products and matters incidental thereto;

- (d) to demonstrate new varieties of jute developed by the Institute for the expansion of jute and to organize training of farmers for cultivation of jute of those varieties;
- (e) to publish and disseminate monographs, bulletins and other publications relating to jute research;
- (f) to provide training to the employees of the Institute on advanced cultivation methods of jute and allied fibre crops, also provide training to the beneficiaries involved in the production of jute and jute products regarding the technological research findings and utilisation thereof;
- (g) to undertake research programmes in collaboration with national and international institutions and organizations;
- (h) to perform any other duty conferred upon it, from time to time, subject to the directions given by the Government; and
- (i) to perform such other activities as may be necessary.

6. To comply with the directions given by the Council.—(1) Notwithstanding anything contained in any other provisions 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, the Institute shall, without any delay, communicate its opinion with reasons thereof to the Council.

(2) The Council may, after considering the opinion received from the Institute under the proviso to sub-section (1), amend or rescind its recommendations or advice or make 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 Deputy Secretary, to be nominated by the Ministry of Science and Technology;
- (e) a representative, not below the rank of a Deputy Secretary, to be nominated by the Ministry of Textiles and Jute;
- (f) a representative, not below the rank of a Director, to be nominated by the Council;
- (g) a Director of the Bangladesh Institute of Nuclear Agricultural Research;

- (h) a representative, not below the rank of a Director, to be nominated by the Bangladesh Jute Mills Corporation (BJMC);
- (j) a representative, not below the rank of a Director of the Bangladesh Council of Scientific and Industrial Research, to be nominated by the Ministry of Science and Technology;
- (k) a representative, not below the rank of a Director of the Department of Jute, to be nominated by the Ministry of Textiles and Jute;
- (l) two senior scientists of the Institute;
- (m) an eminent technologist in the field of jute products, to be nominated by the Government;
- (n) a representative of business and industry, to be nominated by the Government;
- (o) two representatives, to be nominated by the Institute who are involved in agriculture related works, one of whom an experienced farmer and the other a representative of a non-government organization;
- (p) the Director of the Institute, among whom the Director of the Institute (Administration and Finance) shall also be Member Secretary of the Board.

(2) The members nominated under clauses (l) to (o) of sub-section (1) shall hold office for a period 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 member so nominated from his membership before the expiry of such term, without showing any cause, and any member may resign his membership by writing under his hand addressed to the Government or, as the case may be, the Institute.

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

- (a) to supervise the activities of the Institute and give directions;
- (b) to make policy decision of the Institute;
- (c) to approve the proposed policies and work plans of the Institute;
- (d) to make request for a grants from the government or any other sources;
- (e) to approve proposal of borrowing a loan;
- (f) to approve proposed budget for the approval of the Government;
- (g) to determine the subject matter of the research;
- (h) to approve proposal for awarding fellowship;
- (i) to approve proposal for financial assistance for higher education or research in abroad;
- (j) 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 the 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 its total members of the Board shall be required, but no quorum shall be required in the case of adjourned meetings.

(6) At a meeting of the Board, each member present shall have one vote and, the decision shall be taken by a majority of votes, but in the case of equality of votes, the person presiding shall have a casting vote.

(7) No act or 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 such powers and perform such functions as may be given by the Board;
- (b) be responsible for implementing all decisions of the Board; and
- (c) perform such other functions as may be 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 enters upon his office or the Director General resumes the functions of his office.

11. Directors.—The Institute shall have such number of directors as may be required for the efficient performance of its functions and they shall be appointed, and the terms and conditions of their service shall be determined, by the Government.

12. Appointment of the employees.—(1) The Institute may, subject to the organogram approved by the Government, 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 service shall be prescribed by regulations.

13. **Funds.**—(1) The Institute shall have a fund to which money shall be credited from the following sources, namely :—

- (a) grants made by the Government;
- (b) loans taken;
- (c) grants made by a local authority;
- (d) grants received from any local or foreign development agency, with the prior approval of the Government;
- (e) income from the own source of the Institute; and
- (f) money received from any other legal sources.

(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 (President’s Order No. 127 of 1972).

(3) The necessary expenditure 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 yearly 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 accounts.

(2) The Comptroller and Auditor General of Bangladesh shall audit the accounts of the Institute in each year and send a copy of the audit report to the Government and the Institute, and the Institute shall forward it with comments or objections, if any, to the Government.

(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 and 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 (Presidents Order No. 2 of 1973) and, for this purpose, the Institute may appoint one or more Chartered Accountants.

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

16. Report.—(1) The Institute shall, within next 4 (four) months after the end of each financial year, furnish to the Government an annual report on the conduct of its affairs for that financial year.

(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 to assist 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 it 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 take measures to provide necessary foreign training and higher education for its scientists in accordance with the existing rules and regulations.

(2) If a scientist is nominated for training or research by a globally recognized international institution and if financial assistance is required for the purpose, the Institute may, with the prior approval of the Government, provide the same in full or in part.

21. Appointment of researchers or technologists.—(1) The Institute may, with the prior approval of the Government, appoint researchers or technologists to resolve any problem emerged in relation to jute, or to develop a technology or strategy to increase its production.

(2) For the purpose of the sub-section (1), the Institute may, if not capable with its own manpower, appoint researchers or technologists through open competition.

22. Awarding fellowship.—The Institute may, award fellowships to individuals who have obtained degrees with distinction in different fields of agricultural science from any university recognized by the Government, so as to build them up as skilled scientists, researchers and technologists in any matter relating 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 members of the Board, all employees of the Institute and any person authorized to do any work on behalf of the Institute shall be deemed to be a 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 Jute Research Institute Act, 1974 (Act No. XIII of 1974), hereinafter referred to as the said Act, is hereby repealed.

(2) Notwithstanding such repeal under sub-section (1), any act done or any action taken, any rules or regulations made, any order, circular or notification issued, any notice given, budget estimate, scheme or project prepared under the said Act shall be deemed to have been done, taken, made, issued, given or prepared under this Act.

(3) Upon the repeal of the said Act—

- (a) all assets, rights, powers, authorities, privileges and all movable and immovable properties cash and bank deposits all other claims and rights, all books of accounts, registers, records and other documents of the Institute established under the said Act shall be deemed to be the assets, rights, powers, authorities, privileges and movable and immovable properties, cash and bank deposits claims and rights, 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 the established under the said 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 said Act shall be deemed to have been initiated by or against the Institute;
- (d) all employees of the Institute established under the said 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 service 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 shall, 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. Mesbahul Islam

Secretary.

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