

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



অতিরিক্ত সংখ্যা  
কর্তৃপক্ষ কর্তৃক প্রকাশিত

সোমবার, জানুয়ারি ১১, ২০২১

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

**NOTIFICATION**

Dated : 07 January 2021

**S.R.O. No. 06-Law/2021.**—In exercise of the powers conferred by section 28 of the Bangladesh Wheat and Maize 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. XXII of 2017**

**An Act to establish the Bangladesh Wheat and Maize Research Institute for the purpose of increasing the production of Wheat and Maize and for conducting research and training activities and matters connected therewith**

WHEREAS it is expedient and necessary to establish the Bangladesh Wheat and Maize Research Institute for the purpose of increasing the production of Wheat and Maize and for conducting research and training activities and matters connected therewith;

THEREFORE, it is hereby enacted as follows :—

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

(2) It shall come into force at once.

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

- (1) **“Institute”** means the Bangladesh Wheat and Maize 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; and
- (7) **“Director General”** means the Director General of the Institute.

**3. Establishment of the Institute.**—(1) After the commencement of this Act, the Government shall, by notification in the official Gazette, establish an Institute to be called the Bangladesh Wheat and Maize Research Institute.

(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 centres of the Institute.**—(1) The Head Office of the Institute shall be at Nashipur, Sadar Upazila of Dinajpur District.

(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 formulate and implement policies on the development and production of wheat and maize;
- (b) to formulate the work plan of the Institute;

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- (c) to conduct the basic and applied research activities on the development and production of wheat and maize and develop technology;
  - (d) to establish laboratories, farms and infrastructures with modern facilities for research;
  - (e) to create facilities for collection and storage of germ plasma;
  - (f) to provide necessary information and training to farmers for carrying out the production of wheat and maize efficiently;
  - (g) to assess the impact of climate change on wheat and maize production and undertake and implement the research activities relating thereto;
  - (h) to ensure the intellectual property of the technology and plant varieties developed by the Institute;
  - (i) to breed and produce high quality yielding of wheat and maize seeds, demonstrate and distribute for expansion thereof;
  - (j) to publish booklets, monograms and bulletins relating to wheat and maize and other information about research,;
  - (k) to facilitate postgraduate research;
  - (l) to undertake research programmes in collaboration with national and international institutions and organisations;
  - (m) to organise seminar, symposium and workshop with the participation of experts from local and foreign institutions on the issue of creating opportunities to become acquainted with wheat and maize research and recent developments;
  - (n) to undertake project;
  - (o) to discharge such other duties as may be assigned to it by the Government, from time to time, subject to the directions given by it; and
  - (p) to perform any other functions as may be necessary.

**6. Compliance with the directions given by the Council.—**(1) Notwithstanding anything contained in any 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, 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 provision of sub-section (1), amend or revoke 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 Department of Finance;
- (c) a representative, not below the rank of a Deputy Secretary, to be nominated by the Ministry of Agriculture;
- (d) a representative, at the rank of a Director, to be nominated by the Council;
- (e) two senior scientists working in the Institute;
- (f) a Director of Bangladesh Nuclear Agricultural Research Institute;
- (g) an eminent scientist experienced in agricultural research, to be nominated by the Government;
- (h) the Head of the office of the Cotton Development Board and Seed Extension Farm nearby the Institute;
- (i) 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 organisation; and

- (j) the directors of the Institute, among whom the Director-in-charge of Administration of the Institute shall also be the Member Secretary of the Board.
- (2) The members nominated under clauses (g) and (i) 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 period, without showing any cause, and any such 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 for borrowing a loan;
- (f) to approve proposed budget for the approval of the Government;
- (g) to determine the subject matter of the research;
- (e) to approve proposal for awarding fellowship;
- (f) to approve proposal for financial assistance for higher education or research abroad;
- (g) to approve projects.

**9. Meetings of the Board.**—(1) The Board shall hold its meetings at least 2 (two) times in every year and the dates, times and places of the meetings shall be determined by the Chairman.

(2) The Member Secretary of the Board shall convene the meetings of the Board by a notice in writing, with the consent of the Chairman.

(3) To constitute a quorum at a meeting of the Board, the presence of at least 50 (fifty) percent of total members of the Board shall be required. but no quorum shall be required in the case of an adjourned meeting.

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

(5) 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;
- (c) perform such other functions as may be assigned to him, from time to time, by the Government.

(4) If any 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) income from research patent and services;
- (d) grants received from any local or foreign development agency, with the prior approval of the Government;
- (e) grants made by a local authority; or
- (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.**—(1) The Institute shall, by such date in each year as may be specified by the Government, submit an annual 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 authorised 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 redress 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, 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 the same to the Government.

17. **Committees.**—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 shall be bound to repay the same.

19. **To enter into contracts.**—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 recognised 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.

(3) For carrying out the purposes of sub-section (1), the Institute may, on the matters of providing training assistance, enter into contracts with the states or institutions advanced in the research of wheat and maize.

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 raised in relation to wheat and maize, or to develop a technology or strategy to increase its production.

(2) For the purpose of 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 purposes 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. **Dissolution of Wheat Research Centre and Maize Branch of Bangladesh Agricultural Research Institute, etc.**—(1) Upon the establishment of the Institute under this Act, the Wheat research Centre and Maize Branch of Plant Breeding Department, hereinafter referred to as the dissolved Wheat research Centre and Maize Branch of Plant Breeding Department, of the Bangladesh Agricultural Research Institute, established under the Bangladesh Agricultural Research Institute Ordinance, 1976 (Ordinance No. LXII of 1976), hereinafter referred to as the Bangladesh Agricultural Research Institute, shall stand dissolved.

(2) All actions of the dissolved Wheat research Centre and Maize Branch and all research centres, regional centres, sub-centres, research projects and establishments of the Wheat research Centres of the Bangladesh Agricultural Research Institute, shall be transferred to, and vested, in the Institute.

(3) All liabilities and obligations of the dissolved Wheat research Centre and Maize Branch shall be the liabilities and obligations of the Institute.

(4) All suits or legal proceedings initiated by or against the Bangladesh Agricultural Research Institute on any matter arising from the activities transferred to the Institute under sub-section (2), shall be deemed to have been initiated by or against the Institute.

(5) All the employees employed in the dissolved Wheat Research Centre and Maize Branch shall be the employees of the Institute and shall remain in service on the same terms and conditions as were applicable to them until the conditions of their service are altered by the Institute.

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 it.

(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.