

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



অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

সোমবার, ফেব্রুয়ারি ৮, ২০২১

Government of the People's Republic of Bangladesh
Ministry of Law, Justice and Parliamentary Affairs
Legislative and Parliamentary Affairs Division

NOTIFICATION

Dated 28 January 2021

S.R.O.No. 28-Law/2021.—In exercise of the powers conferred by section 27 of the Bangladesh Unnayan Gobeshona Protishthan 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 Unnayan Gobeshona Protishthan Act, 2017
Act No. VIII of 2017

An Act to repeal and re-enact the Bangladesh Unnayan Gobeshona Protishthan Act, 1974 with modifications in a time befitting manner

Whereas it is expedient and necessary to provide for the establishment of a Protishthan for the purpose of conducting investigation and research and dissemination of knowledge in the field of development economics, demography and other social sciences and for matters connected therewith by repealing and re-enacting the Bangladesh Unnayan Gobeshona Protishthan Act, 1974 with modifications in a time befitting manner;

Therefore, it is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Bangladesh Unnayan Gobeshona Protishthan Act, 2017.

(2) It shall come into force at once.

(২৪৪৩)

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

- (1) “Committee” means any Committee constituted under section 12 of this Act;
- (2) “Chairman” means the Chairman of the Board;
- (3) “Protishthan” means the Bangladesh Unnayan Gobeshona Protishthan established under section 3;
- (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 Protishthan mentioned in section 9;
- (8) “Fund” means the Fund mentioned in section 20;
- (9) “Secretary” means the Secretary to the Protishthan mentioned in section 10;
- (10) “Chairman” means the Chairman of the concerned Committee; and
- (11) “Senior Fellow” means the Senior Fellows mentioned in section 19.

3. **Establishment of the Protishthan.**—(1) The Bangladesh Unnayan Gobeshona Protishthan established under the Bangladesh Unnayan Gobeshona Protishthan Act, 1974 (Act No. XXIX of 1974) shall continue to be in force as if it had been established under this Act.

(2) The Protishthan 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. **Office of the Protishthan.**—The Head Office of the Protishthan shall be at Dhaka, and the Protishthan may, if necessary, with the prior approval of the Government, establish its branch offices at any place in Bangladesh.

5. **Direction and administration of the Protishthan.**—The direction and administration of the protishthan shall vest in the Board and the Board may exercise such powers and perform such functions as may be exercised or performed by the Protishthan.

6. Powers and functions of the Protishthan.—The powers and functions of the Protishthan shall be as follows, namely :—

- (a) to undertake plans for national development and social welfare in the field of development economics, demography and other social sciences, and to function as an agency for promoting study, research and disseminating knowledge thereof;
- (b) to collect information, conduct investigations and undertake research projects for the purpose of assistance in planning, and formulation of policy and implementation thereof;
- (c) to provide postgraduate degrees in economics, demography and other social sciences and provide facilities for training;
- (d) to provide information and offer advice on modern research techniques and methodology in economics, demography and other social sciences;
- (e) to conduct survey, experiment, demonstration, to hold meetings and to arrange lectures, seminars, discussions and conferences on economics, demography and other social sciences relating to studies of problems of national development and social welfare, hereinafter referred to as the studies;
- (f) to publish books, periodicals, reports and research and working papers on the studies;
- (g) to undertake investigations including field work on the studies, on its own initiative or on behalf of, or in collaboration with, the Government or any other institution;
- (h) to arrange for exchange of visits of the foreign scholars and researchers, as experts through or for co-operative research, seminars, and visits or any other programme, or establish and maintain contact with their research works;
- (i) to maintain libraries and reading rooms and computers, printers, internet server, projectors, photocopiers, scanners including different research and office equipment, and other reproduction instruments for its proper functioning;
- (j) to institute Research Associateships, Fellowships of different categories including National Research Fellowships for professional workers on research;

- (k) to create within itself from time to time branches, divisions, sections, centres and other units for the proper and efficient conduct of the activities of the Protishthan in different fields of research;
- (l) to accept endowments, gifts, donations, grants, honoraria, etc. in lieu of services rendered; and
- (m) to perform all or any such function as may be required or relevant.

7. **Board.**—(1) For carrying out the purposes of this Act, the Board shall consist of the following Members, namely:—

- (a) the Minister for Planning, ex-officio who shall also be its Chairman;
- (b) the Chairman, or a Member, of the University Grants Commission to be nominated by it;
- (c) the Governor, Bangladesh Bank;
- (d) the Secretary, the Planning Division;
- (e) the Secretary, Finance Division;
- (f) the Secretary, Secondary and Higher Education Division, Ministry of Education;
- (g) a Member, General Economic Division (GED), Planning Commission;
- (h) the Director General, who shall also be its Member Secretary;
- (i) the Director-General, Bangladesh Rural Development Board;
- (j) 2 (two) Senior Fellows, to be nominated by the Board from amongst themselves;
- (k) 3 (three) members of research staff of the Protishthan, not below the rank of Senior Research Fellows, to be nominated by the Director General on the recommendation of the Policy Co-ordination Committee; and
- (l) 1 (one) member, to be nominated by the President.

(2) The Members mentioned in clauses (j) and (k) of sub-section (1) shall be nominated for a term of 3 (three) years.

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

(2) The Chairman shall determine the agenda, date, time and place of the meetings of the Board, and the Director-General shall convene all meetings with the consent of the Chairman.

(3) The Chairman shall preside over all meetings of the Board and if any vacancy occurs in the office of the Chairman or he is unable to be present at the meeting of the Board, the Member nominated by the Members present in the meeting from amongst themselves shall preside over the meeting.

(4) At a meeting of the Board, each Member shall have one vote, but in the event of equality of votes, the person presiding over shall have a second or casting vote.

(5) Not less than 5(five) of the total number of Members shall form the quorum at a meeting of the Committee.

(6) At least one meeting of the Board shall be held in every 6(six) months.

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

9. **Director-General.**—(1) There shall be a Director-General of the protishthan, who shall be appointed for 3(three) years on such terms and conditions as may be determined by the Board:

Provided that he shall be eligible for re-appointment for another 1(one) term.

(2) The Director-General shall be the Chief Executive of the Protishthan and he shall—

(a) exercise such powers and perform such functions as may be given by the Board; and

(b) be responsible for implementing all decisions of the Board.

(3) 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 Board shall in its consideration, take proper measures to 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.

10. **Secretary.**—(1) There shall be a Secretary of the Protishthan who shall be appointed by the Board on such terms and conditions as the Board may determine.

(2) The Secretary shall be responsible to the Director-General for his activities and shall assist the Director-General and the Committees in discharging their functions.

(3) The Secretary shall also discharge the functions to be given by the Board or the Director-General, from time to time.

11. **Appointment of the employees of the Protishthan, etc.**—(1) The Protishthan 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, and the terms and conditions of their service shall be prescribed by regulations.

12. **Committees.**—For carrying out the purposes of this Act, the Protishthan may form the following Committees, namely:—

- (a) the Policy Co-ordination Committee;
- (b) the Administrative Affairs Committee;
- (c) the Finance Committee; and
- (d) other relevant Committees.

13. **The Policy Co-ordination Committees.**—(1) The Policy Co-ordination Committee shall consist of the following Members, namely :—

- (a) the Director-General, ex-officio, who shall also be its Chairman;
- (b) all Research Directors of the Protishthan, ex-officio;
- (c) all Chiefs of Divisions of the Protishthan, ex-officio;
- (d) the Chairman of the Administrative Affairs Committee, ex-officio;
- (e) the Chairman of the Finance Committee, ex-officio;
- (f) the Secretary, ex-officio;
- (g) 2 (two) Research Fellows of the Protishthan, to be nominated by the Chairman, one of whom shall be the Member-secretary of it.

(2) The Members mentioned in clause (g) of sub-section (1), shall hold office for a term of 1 (one) year from the date of their nominations, but they shall continue to hold office until new Members are nominated.

(3) The Policy Co-ordination Committee shall—

(a) make recommendations to the Director-General on the following matters, namely :—

- (i) allocation of funds for research;
- (ii) awarding of scholarship and fellowships;
- (iii) nomination of representatives of the Protishthan to seminars, workshops and other professional activities;
- (iv) control, management and administration of the projects; and
- (v) nomination of Members of the Administrative Affairs Committee and the Finance Committee.

(b) exercise such other powers and perform such other functions as may be assigned to it by the Board, from time to time.

(4) The Policy Co-ordination Committee may form different sub-committees to assist it in discharging its functions.

14. The Administrative Affairs Committee.—(1) The Administrative Affairs Committee shall consist of the following Members, namely :—

- (a) 2 (two) Members of the research staff of the Protishthan not below the rank of Resarch Fellow, to be nominated by the Board, the most senior research staff among them shall also be its Chairman;
- (b) the Secretary, ex-officio; and
- (c) heads of Sections of the Protishthan, ex-officio.

(2) Any Member, other than an ex-officio Member, shall hold office for a period of 1 (one) year but shall continue to hold office until his successor enters upon his office.

(3) The Administrative Affairs Committee shall make recommendations to the Director-General on the following matters, namely :—

- (a) accommodation, transport and general administration;
- (b) service related matters of the non-research staff of the Protishthan, excluding the heads of sections; and
- (c) any other matter as may be assigned to it by the Board or the Director-General.

15. **The Finance Committee.**—(1) The Finance Committee shall consist of the following Members, namely :—

- (a) 3 (three) Members of the research staff of the Protishthan, not below the rank of Research Fellow to be nominated by the Board, the most senior research staff among them shall also be its Chairman;
- (b) the Secretary, ex-officio; and
- (c) the Chief of the Accounts Section of the Protishthan, ex-officio.

(2) Any Member, other than an ex-officio Member, shall hold office for a period of 1 (one) year, but shall continue to hold office untill his successor enters upon his office.

(3) The Finance Committee shall—

- (a) supervise the income and expenditure of the Protishthan;
- (b) advise the Director-General on all matters relating to accounts, administration of property, funds, preparation of budget and clearance of bills; and
- (c) perform such other functions as may be assigned to it by the Board.

16. **Other relevant Committees.**—For carrying out the purposes of this Act, the Protishthan may, with the approval of the Board, form other relevant Committees, by determining the numbers of Members and their functions.

17. **Meetings of the Committees.**—(1) The meetings of the Committees shall be held at such times and places as may be prescribed by the Chairman of the relevant Committee.

(2) At the presence of one-third Members including the Chairman shall form the quorum at a meeting of the Committee, but no quorum shall be required for an adjourned meeting.

(3) At a meeting of the Committee, each Member shall have one vote, but in the event of equality of votes, the Chairman shall have a second or casting vote.

(4) The Chairman shall preside over all the meetings of the Committee, but in the absence of the Chairman, the Member nominated by him shall preside over the meeting :

Provided that in absence of the Member so nominated, the member elected for the purpose by the members present from among themselves, shall preside over the meeting.

18. **Difference of opinions among Committees, etc.**—In the event of any disagreement between two Committees or between a Committee and the Director-General, the matter shall be referred to the Board and the decision of the Board shall be final.

19. **Senior Fellows.**—(1) There shall be not more than 12 (twelve) Senior Fellows in the Protishthan.

(2) The Senior Fellows shall be appointed by the Protishthan from amongst the person who, by virtue of their high professional qualifications and experience, have attained eminence in the field of development economics, demography and other social sciences and are willing to serve without any honoraria to achieve the aims and objects of the Protishthan.

(3) A Senior Fellow shall be appointed for a term of 3 (three) years and shall be eligible for re-appointment.

(4) The Senior Fellows shall advise and assist the Protishthan in formulating and carrying out its research, training, publication and other professional programmes.

(5) If any Senior Fellow fails to attend 3 (three) or more consecutive meetings of the Senior Fellows of the Protishthan, he shall be deemed to have resigned as a Senior Fellow and such resignation shall become effective upon notification thereof by the Protishthan.

20. **Fund.**—(1) The Protishthan shall have a Fund to which money shall be credited from the following sources, namely:—

- (a) grants made by the Governments;
- (b) sale proceeds and royalties of publications;
- (c) income from research undertakings;
- (d) grants from aid-giving agencies including foreign Governments and foundations; and
- (e) money received from other legal sources.

(2) All funds of the Protishthan shall be kept in any Scheduled bank in the name of the Protishthan and the payment of salaries and allowances of the employees of the Protishthan as well as other necessary expenditure of it shall be met from the Fund.

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 Fund shall be operated in such manner as may be prescribed by rules.

(4) If there is any surplus in the Fund of the Protishthan, after the expenditure of the Protishthan in the relevant financial year, it shall be deposited into the treasury of the Government in full or in part, in accordance with the directions of the Government.

21. **Budget.**—The Protishthan shall, by such date in each year as may be specified by the Government, submit an annual budget statement for approval to the Government 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.

22. **Audit and accounts.**—(1) The Protishthan shall maintain its accounts properly and prepare an annual statement of accounts.

(2) The Comptroller and Auditor-General of Bangladesh, hereinafter referred to as the Auditor-General, shall audit the accounts of the Protishthan in each year and send a copy of the audit report to the Government and the Protishthan.

(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 Protishthan.

23. **Report, etc.**—The Protishthan shall, within 90 (ninety) days 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 Protishthan to submit report or statement on any matter of the Protishthan at any time, and the Protishthan shall be bound to submit the same to the Government.

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

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

26. **Repeal and savings.**—(1) Upon the commencement of this Act, the Bangladesh Unnayan Gobeshona Protishthan Act, 1974 (Act No. XXIX of 1974), hereinafter referred to as the said Act, is hereby repealed.

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

- (a) the funds, assets, movable and immovable properties, cash and bank deposits, debts and liabilities of the Bangladesh Unnayan Gobeshona Protishthan shall be deemed to be the funds, assets, movable and immovable properties, cash and bank deposits, debts and liabilities of the Protishthan established under this Act;
- (b) any act or measure taken under the said Act if pending or going on, it shall be disposed of in such way as if the said Act had not been repealed;

- (c) all employees appointed under the said Act shall remain in service of the Protisthan on the same terms and conditions as they were applicable to them immediately before the commencement of this Act, until the conditions of their service are altered according to the provisions of this Act; and
- (d) the rules made under the said Act shall continue, subject to being consistent with this Act or rules made there under, until the rules are repealed or amended.

27. **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, if necessary.

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

By order of the President

মুহঃ জাকির হোসেন
যুগ্মসচিব (লে.অ.)।