

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

রবিবার, মার্চ ৩, ২০১৩

বাংলাদেশ জাতীয় সংসদ

ঢাকা, ০৩ মার্চ, ২০১৩/১৯ ফাল্গুন, ১৪১৯

সংসদ কর্তৃক গৃহীত নিম্নলিখিত আইনটি ২৬ ফেব্রুয়ারি, ২০১৩/১৪ ফাল্গুন, ১৪১৯ তারিখে রাষ্ট্রপতির সম্মতি লাভ করিয়াছে এবং এতদ্বারা এই আইনটি সর্বসাধারণের অবগতির জন্য প্রকাশ করা যাইতেছে :—

২০১৩ সনের ১০ নং আইন

Islamic Foundation Act, 1975 এর অধিকতর সংশোধনকল্পে প্রণীত আইন

যেহেতু নিম্নবর্ণিত উদ্দেশ্যসমূহ পূরণকল্পে **Islamic Foundation Act, 1975 (Act No XVII of 1975)** এর অধিকতর সংশোধন সমীচীন ও প্রয়োজনীয়;

সেহেতু এতদ্বারা নিম্নরূপ আইন করা হইল :—

১। সংক্ষিপ্ত শিরোনাম ও প্রবর্তন।—(১) এই আইন **Islamic Foundation (Amendment) Act, 2013** নামে অভিহিত হইবে।

(২) ইহা অবিলম্বে কার্যকর হইবে।

২। **Act No XVII of 1975** এর **section 2** এর সংশোধন।—**Islamic Foundation Act, 1975 (Act No XVII of 1975)**, অতঃপর উক্ত Act বলিয়া উল্লিখিত, এর **section 2** এর **clause (e)** বিলুপ্ত হইবে।

(১৩৮৯)

মূল্য : টাকা ৮.০০

৩। **Act No XVII of 1975 এর section 6 এর সংশোধন।**—উক্ত Act এর section 6 এর sub-section (1) এর—

(ক) clause (aa) বিলুপ্ত হইবে;

(খ) clause (c) এর পরিবর্তে নিম্নরূপ clause (c) প্রতিস্থাপিত হইবে, যথা ঃ—

æ(c) the secretary, Ministry of Religious Affairs, *ex-officio*;" ।

৪। **Act No XVII of 1975 এর section 7 এর সংশোধন।**—উক্ত Act এর section 7 এর বিদ্যমান sub-section (4) এর পরিবর্তে নিম্নরূপ নতুন sub-section (4) প্রতিস্থাপিত হইবে, যথা ঃ—

“(4) All meetings of the Board shall be presided over by the Chairman and, in his absence, by a Governor nominated for the purpose by the Chairman.” ।

৫। **Act No XVII of 1975 এর section 9A এর সংশোধন।**—উক্ত Act এর section 9A এর বিদ্যমান sub-section (3) এর পরিবর্তে নিম্নরূপ নতুন sub-section (3) প্রতিস্থাপিত হইবে, যথা ঃ—

“(3) A general meeting of the members of the Foundation shall be presided over by the Chairman and, in his absence, by a Governor nominated for the purpose by the Chairman.” ।

৬। **Act No XVII of 1975 এর section 11 এর সংশোধন।**—উক্ত Act এর section 11 এর clause (j) এর শেষে উল্লিখিত “and” শব্দটি বিলুপ্ত হইবে এবং অতঃপর নতুন clause (jj) সন্নিবেশিত হইবে, যথা ঃ—

“(jj) to manage and develop the Jamiatul Falah Mosque and Complex, Chittagong; and” ।

৭। **Act No XVII of 1975 এর section 12 এর সংশোধন।**—উক্ত Act এর section 12 এর sub-section (1) এর clause (a) এর পর নিম্নরূপ নতুন clause (aa) সন্নিবেশিত হইবে, যথা ঃ—

“(aa) funds of the Jamiatul Falah Mosque and Complex, Chittagong, transferred under section 20A;” ।

৮। **Act No XVII of 1975 এ নতুন section 20A এর সন্নিবেশ।**—উক্ত Act এর section 20 এর পর নিম্নরূপ নতুন section 20A সন্নিবেশিত হইবে, যথা ঃ—

“20A. Vesting of Jamiatul Falah Mosque and Complex, Chittagong, in Foundation and its management.—(1) Notwithstanding anything contained to the contrary in any other law, rule, regulation or bye-law, or in any trust, waqf,

agreement, deed or other instrument, for the time being in force, upon coming into force of this section,—

(a) the society known as Jamiatul Falah, in respect of the Jamiatul Falah Mosque and Complex, Chittagong, registered under the Societies Registration Act, 1860 (XXI of 1860), shall stand dissolved;

(b) the management of the Jamiatul Falah Mosque and Complex, Chittagong, hereinafter called the “the said Mosque and Complex,” shall vest in the Foundation; and all assets, rights, powers, authorities and privileges, and all property, movable and immovable, cash and bank balances, reserve funds, investments and all other interests and rights in, or arising out of, such property and all debts, liabilities and obligations of whatever kind in respect of the said Mosque and Complex, subsisting immediately before the coming into force of this section, shall, stand transferred to, and, vest in the Foundation;

(c) any committee or committees, ad-hoc or permanent, or any other committee or body of management in connection with the said Mosque and Complex, by whatever name called, subsisting immediately before the coming into force of this section, shall stand dissolved and members of such committee or committees shall cease to be such members;

(d) all debts and obligations incurred, contracts entered into or rights acquired and all matters and things engaged to be done by, with or for the said Mosque and Complex, before the coming into force of this section, shall be deemed to have been incurred, entered into, acquired or engaged to be done by, with or for the Foundation;

(e) all officers and other employees of the said Mosque and Complex, appointed or employed before the date of approval by the Cabinet of the Draft Bill in respect of this section, shall stand transferred to the Foundation and shall be deemed to have been appointed by the Foundation in accordance with the terms and conditions of service as had been applicable to them immediately before the coming into force of this section until such terms and conditions are varied by rules or regulations made by the Government or Foundation, as the case may be, and no such officer or employee shall be entitled to any compensation because of such transfer;

(f) all assets and properties vested in the Foundation and any book of account, documents or other papers relating thereto shall be delivered to the Foundation or to an officer authorised by it in this behalf;

(g) the Foundation shall maintain separate account in respect of the income and expenditure of the Jamiatul Falah Mosque and Complex;

(h) the Foundation shall generally utilise the income of the Jamiatul Falah Mosque and Complex for the purpose of management, maintenance and development of the said Mosque and Complex, but the Foundation may also utilise the assets, properties and income of the said Mosque and Complex for the performance of its functions under section 11, if, in its opinion, such utilisation will not be prejudicial to the interest of the said Mosque and Complex; and

(i) all suits and other legal proceedings instituted on behalf of or against the said Mosque and Complex shall be deemed to be suits and proceedings by or against the Foundation and shall be proceeded or otherwise dealt with accordingly.

(2) The Government may, for the purpose of removing any difficulty in relation to matters specified in sub-section (1), make such orders as it considers expedient and any such order shall be deemed to be, and given effect to, as part of the provisions of that sub-section.”।

মোঃ মাহফুজুর রহমান
সচিব।