

The Government Educational and Training Institutions Ordinance, 1961 (East Pakistan Ordinance)

(Ordinance NO. XXVI OF 1961)

An Ordinance to establish Boards of Governors for the Government Educational and Training Institutions in ¹[Bangladesh].

WHEREAS it is expedient to establish Boards of Governors for some Government Educational and Training Institutions in [Bangladesh] for the efficient administration, control and management thereof;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of East Pakistan is pleased to make and promulgate the following Ordinance, namely:-

Short title, extent, commencement and application

1. (1) This Ordinance may be called the ²[* * *] Government Educational and Training Institutions Ordinance, 1961.
- (2) It extends to the whole of ³[Bangladesh].
- (3) It shall come into force at once.
- (4) It shall apply to such institutions and from such dates as may be notified by the ⁴[* * *] Government.

Definitions

2. In this Ordinance, unless there is anything repugnant in the subject or context,-
 - (a) "Board" means the Board of Governors of an institution established under section 3;
 - (b) "Chairman" means the Chairman of the Board;
 - (c) "institution" means an educational or training institution set up, or to be set up, and notified by the ⁵[* * *] Government under sub-section (4) of section 1, and includes an establishment or organisation attached thereto;

(d) "member" means a member of the Board;

(e) "prescribed" means prescribed by rules made under this Ordinance;
and

(f) "Principal" means the principal officer in charge of an institution by whatever style he may be designated, and includes any officer for the time being performing his functions.

Establishment of a Board

3. (1) The ⁶[* * *] Government may establish a Board of Governors for the efficient management and control of an institution.

(2) The Board shall be a body corporate and have perpetual succession and a common seal, with power to enter into contract and to acquire and hold property, movable and immovable, and shall, by its corporate name, sue and be sued.

Constitution of the Board

4. (1) The Board shall consist of not more than ⁷[fifteen] members to be appointed by ⁸[the President of Bangladesh]; and the number of official members and non official members shall be in such proportion as may be fixed by the ⁹[President].

(2) One of the members shall be appointed by ¹⁰[the President of Bangladesh] to be the Chairman of the Board.

(3) Official members, if any, shall be appointed by designation.

(4) Non official members, if any, shall hold office for a period of 3 years and shall be eligible for re appointment.

(5) The Principal shall be the Secretary of the Board.

Removal of members

5. ¹¹[The President of Bangladesh] may remove any member before the expiry of his term of office without assigning any reason therefore.

Meetings of the Board

6. The meetings of the Board shall be held at such times, in such places and in accordance with such procedure as may be prescribed.

General powers of

7. Subject to other provisions of this Ordinance, the Board shall have full power to administer, control and manage an institution and, in particular, in respect of the following matters:-

(a) to acquire and dispose of property and generally to enter into contracts in conformity with the purposes of this Ordinance;

(b) to recruit and to determine the terms and conditions of service of the Principal and other members of the staff of the institution, and all other officers and employees of the Board:

Provided that, in determining the terms and conditions of service in relation to any post carrying a salary of more than five hundred ¹²[Taka] per mensem, the previous sanction of the ¹³[* * *] Government shall be necessary;

(c) to formulate the budget of the institution for approval of the ¹⁴[* * *] Government;

(d) to set up an Executive Committee and such other Standing Committees as may, from time to time, be required for carrying out the purposes of this Ordinance;

(e) to delegate powers to the Chairman, the Executive Committee, any Standing Committee, the Principal, or other staff of the institution and other officers and employees of the Board; and

(f) to frame, subject to the approval of the ¹⁵[* * *] Government, regulations for the conduct of business of the Board.

**Provisions
regarding
staff**

8. Any person serving, in connection with the affairs of the ¹⁶[State], in an institution in any capacity immediately before the date notified under sub section (4) of section 1, may be transferred by the ¹⁷[* * *] Government for service under the Board on such terms and conditions as the ¹⁸[* * *] Government may determine:

Provided that such terms and conditions shall not be less favourable than those which would have been admissible to him if he had not been so transferred; and no such person shall be dismissed, removed from service

or reduced in rank by an authority subordinate to that by which he was appointed.

Property

9. All property, movable or immovable, vesting in the ¹⁹[* * *] Government in connection with the affairs of the institution immediately before the date notified under sub section (4) of section 1, shall vest in the Board with effect from the said date; and in the event of the ²⁰[* * *] Government rescinding the notification made under sub section (4) of section 1, the property vesting in the Board shall stand transferred to the ²¹[* * *] Government.

Board Fund

10. (1) There shall be a fund to be known as Board Fund vested in the Board.

(2) The Board Fund shall consist of -

(a) grants in aid made by the ²²[* * *] Government;

(b) loans obtained from Government;

(c) loans raised by the Board with the general or special sanction of the ²³[* * *] Government;

(d) foreign aid and loan obtained by the Board with the sanction of and on terms and conditions approved by the ²⁴[* * *] Government; and

(e) fees and other sums received by the Board.

(3) All moneys at the credit of the Board shall be kept in such custody as may be prescribed.

(4) The Board Fund shall be utilised by the Board in connection with its functions under this Ordinance including the payment of salaries and other remunerations of the Principal and staff of the institution and of officers and employees appointed under this Ordinance.

Maintenance of accounts

11. The Board shall maintain its accounts in such form and manner as may be prescribed.

Annual financial