

Registered No. DA-1

The
Bangladesh (Monogram) Gazette.

Extraordinary
Published by Authority

MONDAY, DECEMBER 20, 1982

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LOCAL GOVERNMENT

Rural Development and Co-operatives Division.

NOTIFICATION

Dhaka, the 20th December, 1982.

No. S.R.O. 428-L/82. - In pursuance of the provision of sub-section (1) of section 3 of the Bangladesh Rural Development Board Ordinance, 1982 (LIII of 1982), the Government is pleased to establish a Board to be called the Bangladesh Rural development Board for carrying out the purposes of the said Ordinance.

By order of the
Chief Martial Law Administrator

A.H. PASHA
Deputy Secretary.

(5095)
Price : 25 Paisa.

(Published in the Bangladesh Gazette, Extraordinary, dated the 13th December, 1982.)

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LAW AND LAND REFORMS
(Law and Parliamentary Affairs Division)

NOTIFICATION

Dhaka, the 13th December, 1982.

No. 739- Pub, _ The following Ordinance made by the **Chief Martial Law Administrator** of the **People's Republic of Bangladesh** on the 9th December, 1982, is hereby published for general information:-

THE BANGLADESH RURAL DEVELOPMENT BOARD ORDINANCE.

1982

ORDINANCE NO. LIII of 1982

AN

ORDINANCE

to provide for the establishment of the Bangladesh Rural Development Board

WHEREAS it is expedient to provide for the establishment of a Board for Rural Development in Bangladesh to formulate policies, co-ordinate activities and supervise implementation of various projects and Programmes relating to rural development of rural economy of the country and for matters connected therewith or incidental thereto:

Now, THEREFORE, in pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the Chief Martial Law administrator is pleased to make and promulgate the following Ordinance:-

1. **Short title.**- This Ordinance may be called the Bangladesh Rural Development Board Ordinance, 1982.

Price : 25 Paisa.

- 2. Definition** .- In this Ordinance, unless there is anything repugnant in the subject or context,-
- (a) "**Board**" means the Bangladesh Rural Development Board established under section 3;
 - (b) "**Cooperative Society**" shall have the same meaning as assigned to it in the Cooperative Societies Act 1940 (Ben. Act **XXI of 1940**);
 - (c) "**Director - General** " means the Director - General of the Board;
 - (d) "**member**" means a member of the Board and includes the Chairman of the Board;
 - a. "**prescribe**" means prescribed by rules; and
 - (f) "**TCCA**" means the Thana Central Cooperative Association registered under the Cooperative Societies Act,1940 (Ben. Act XXI of 1940).
- 3. Establishment of the Board.**- (1) As soon as may be after the commencement of this Ordinance, the Government shall, by notification in the official Gazette, establish a Board to be called the Bangladesh Rural Development Board for carrying out the purposes of this Ordinance.
- (2) The Board shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Ordinance and the rules made there under, to acquire, hold and dispose of property both movable and immovable, and shall by the said name sue and be sued.
- 4. Head Office, etc.**- (1) The Head Office of the Board shall be at Dhaka.
- (2) The Board may establish offices at such other places as it deems fit.
- 5. Constitution and composition of the Board, etc.**- (1) The Board shall consist of the following members, namely:-
- (a) The Minister -in- charge of the Ministry of Local Government, who shall also be the Chairman of the Board;
 - (b) The Secretary of the Rural Development and Co-operatives Division or Additional Secretary or Joint Secretary-in-charge of that Division, ex-officio, who shall also be the Vice- Chairmen of the Board;
 - (c) An officer not bellow the rank of a Joint Secretary from each of the Divisions of Agriculture and Forests, Fisheries and Livestock, Finance, Energy, Irrigation, Water Development and Flood Control and Local Government, ex-officio;

- (d) Member, Planning Commission, in-charge of rural development, or an officer not below the rank of a Section Chief, ex-officio;
 - (e) The Chairman of the Bangladesh Agricultural Development Corporation, ex-officio;
 - (f) The Directors of the Bangladesh Rural Development Academies, Comilla and Bogra, alternatively for one year by rotation, ex-officio;
 - (g) The Registrar of Co-operative Societies, ex-officio;
 - (h) The Chairman, Bangladesh Small and Cottage Industries Corporation, ex-officio;
 - (i) Five members to be elected by the National Federation of TCCAs;
 - (j) One member to be nominated by the Government from such major financial institutions as may be determined by the Government financing the TCCAs;
 - (k) One member to be nominated by the Bangladesh Jatiya Samabaya Union;
 - (l) The Director- General of the Board, ex-officio , who shall also be the Member Secretary of the Board.
- (2) The elected and nominated members shall hold office for a period of one year.
- (a) No act done by the Board shall be invalid on the ground merely of the existence of any vacancy in, or any defect in the constitution or composition of, the Board.
6. **Meeting of the Board.**- (a) The meetings of the Board shall be held at least six times in each calendar year, and at least once in every two months.
- (b) A notice in writing shall be given by the Member - Secretary for each meeting of the Board and such written notice shall include agenda of the meeting.
 - (c) Except with the consent of the Chairmen, and a majority of the members present, no business other than that for which the meeting was convened shall be discussed at a meeting of the Board.
 - (d) All questions at a meeting of the Board shall be decided by a majority of the members present and voting, and in the case of equality of votes, the person presiding shall have a second and casting vote.

- (e) To constitute a quorum of a meeting of the Board not less than five members shall be present.

7. Functions of the Board.- (1) The functions of the Board shall be -

- (a) to promote village based Primary Co-operative Societies & TCCAs with a view to enabling them to be autonomous, self-managed and financially viable vehicles for increasing production, employment generation & rural development.
- (b) to encourage functional co-operatives for generating income and employment for the rural poor.
- (c) to promote intensive irrigated agriculture as a means to Co-operative Development as also for efficient utilization through the Co-operatives, of irrigation facilities based on ground and surface water.
- (d) to channel and ensure productive utilization of institutional credit through the village co-operatives and the TCCAs and simultaneously promote members accumulation of shares and savings.
- (e) to encourage financially viable TCCAs to diversify activities specially in the marketing of agricultural inputs & produce as a service to their members.
- (f) to arrange for effective training members of the managing committee of village based primary co-operative societies and TCCAs and model farmers in the agricultural and rural development activities;
- (g) to liaison with the concerned Ministries, Department & Agencies for mobilizing supplies, services and supports for the TCCAs and village co-operative systems.
- (h) to promote the District and National Federation of TCCAs with a view to progressively handing over to them promotional motivational & educational functions in relation to rural development
- (i) to delegate to the Director General, Director and any other officers for the achievements of the objectives of the Board.
- (j) to delegate to the District and Thana level officers of the Board, maximum possible financial and administrative authority to achievement of the objectives of the Board,
- (j) to submit to the Government Projects and Programmes consistent with its objectives and to implement them with Government approval.
- (k) to approve the annual development programmes and the annual budget of the Board;

- (l) to engage competent evaluation teams and research institutions to study and evaluate the progress made and problems faced in the implementation of, and in achieving the objectives of , the projects and programmes under taken by the Board;
 - (m) to take such measures and exercise such other powers as it considers necessary for carrying out its functions under the ordinance.
 - (a) Without prejudice to the generality of the provisions of sun-section (1), the Board may for the performance of its functions:-
 - a) Undertake any work, incur any expenditure within the approved budget or any special allocation of funds, procure machinery, materials and services required for its use and enter into any agreement or contract as it may consider necessary or expedient;
 - b) seek or obtain advice and assistance in the preparation or creation of a scheme form the Government, any agency of the Government, local body or any other agency or, with the permission of the Government, from any foreign Government or agency.
- 8. Director- General, etc.-** (1) There shall be appointed by the Government a Director-General who shall be the chief executive officer of the Board with responsibilities for carrying out the decision and performing the executive functions of the Board.
- (2) There shall be appointed by the Government such number of Directors of the Board as it may fix from time to time.
 - (3) The Director -General and the Directors shall hold office for such period and on such terms and conditions as the Government may determine.
 - (4) If the Director-General is, for illness, or for any other reason, incapable of performing his duties under this Ordinance, the Government may authorize any Director to perform the duties of the Director-General during the period for which he is so incapable.
- 9. Funds.-** (1) There shall be three Funds of the Board, namely, the Rural Development Fund, the Special Projects Fund and the Board Operating Fund.
- (2) The Rural Development Fund shall utilized for channeling to the village based co-operative societies and TCCAs for their promotional, motivational and developmental activities.

- (3) The Special Projects Fund shall be utilized for under taking specific and well defined tasks assigned to the Board by the Government or for execution of special projects for which special agreement have been signed between the Government and the Board.
 - (4) The Board Operating Fund shall be utilized for the pay and allowances of the Director-General, Director, Officers and staff and for all other operational and incidental expenses of the Board.
10. **Grants, etc., to the Funds.**- (1) To the credit of the Rural Development Fund shall be placed-
- a) Grants made by the Government;
 - b) loans obtained by the Board from the Government or any other source with the approval of Government;
 - c) grants made to the Board by the local authorities or cooperative bodies;
 - d) all other sums received by the Board from any other source; and
 - e) interest or other income on the above amounts.
- (2) To the credit of the Special projects Fund shall be placed-
- (a) grants received from the Government or agencies approved by the Government; and
 - (b) loans received from the Government or agencies approved by the Government.
- (3) To the credit of the Board Operating Fund shall be placed-
- (a) grants obtained by the Board from the Government or agencies approved by the government; and
 - (b) loans obtained by the Board from the Government or agencies approved by the Government.
11. **Borrowing power.**- The Board may, with the prior approval of the Government, borrow money from any source in Bangladesh for carrying out the purposes of the Ordinance.

12. **Budget.-** The Board shall, by such date before the commencement of each financial year as the Government may direct, submit to the Government for approval a budget, in the prescribed form, for each financial year showing the estimated expenditures and receipts, if any, and the sums likely to be required from the Government during the financial year for each of the Funds specified in section 9.
13. **Audit and Accounts.-** (1) The Board shall maintain its accounts in such manner and form as the government may prescribe.
- (2) The accounts of the Board shall be audited by the Comptroller and Auditor-General of Bangladesh, hereinafter in this section referred as the Auditor-General, in such manner as he deems fit.
- (3) For the purpose of an audit under sub-section (2) the Auditor-General or any person authorized by him in his behalf shall have access to all records, books, documents, cash securities, stores and other property of the Board and may examine the Director-General or any Director or any officer or employee of the Board.
- (4) The Auditor-General shall, as soon as possible after completion of the audit, send to the Board his audit report and the Board shall forward it with its comments thereon to the Government.
- (5) The Board shall take steps forthwith to remedy the defects or irregularities pointed out in the audit report.
14. **Three level functionaries.-** (1) The Board's functions shall be at three levels, namely, the National level, the District level and the Thana level.
- (2) The strength of the officers and members of the staff and their functions at each level shall be determined by the Board with the prior approval of the Government.
15. **Appointment of officers, etc.-** The Board may, subject to the overall sanctioned strength and budgetary provisions and also subject to regulations as may be made under the Ordinance in this behalf , create such posts of officers, consultants, advisers, auditors and other employees as it considers necessary for the efficient discharge of its functions under this Ordinance and appoint them on such terms and conditions as the Board may determine.
16. **Submission of reports, etc.-** (1) The Board shall submit to the Government, as soon as possible after the end of every financial year, a detailed report on the conduct of its affairs for that year.
- (2) The Board shall submit to the Government at such time and at such interval as the Government may specified -

- (a) such returns, accounts, statements, estimates and statistics as may be required by the Government;
 - (b) information and comments asked for by the Government on any specific subject;
 - (c) copies of documents required by the Government for examination or any other purpose.
17. **Delegation of powers.-** The Board may, by general or special order, direct that such of its powers shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercisable by the Director-general, a director or an officer of the Board as may be specified therein.
18. **Public Servant, etc.-** A member shall, while acting or purporting to act in pursuance of any provision of this Ordinance or rules and regulations made there under, be deemed to be a public servant within the meaning of section 21 of the Penal Code (Act XLV of 1860).
19. **Indemnity.-** No suit, prosecution or other legal proceeding shall lie against the Chairman, any member, adviser, consultant, officer or other employee of the Board for anything done or intended to be done in good faith under this Ordinance.
20. **Power to issue directions.-** The Government may, from time to time, issue directions to the Board to take such measures as it considers necessary for carrying out the purposes of this Ordinance; and the Board shall comply with all such directions.
21. **Removal of difficulties.-** If any difficulties arises in giving effect to the provisions of this Ordinance, the Government may make such order, not inconsistent with the provisions of this ordinance, as may appear to it to be necessary for the purpose of removing the difficulty.
22. **Power to make rules.-** The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this ordinance.
23. **Power to make regulations.-** (1) The Board may, with the prior approval of the Government, make regulations, not inconsistent with the provisions of this ordinance and the rules made there under, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this ordinance.
- (2) All regulations made under this section shall be published in the official Gazette and shall come in to force on such publication.
24. **Winding up.-** No provision of law relating to the winding up of bodies corporate shall apply to the Board, and the Board shall not be wound up except by order of the Government, and in such manner as the Government may direct.

25. Dissolution of Integrated Rural Development Programme.- Notwithstanding anything contained in any other law for the time being in force or in any rule, regulation or bye-law, or any contract or agreement, upon the establishment of the Board-

- (a) the Integrated Rural Development Programme, hereinafter referred to as the IRDP, shall stand dissolved:
- (b) all properties, movable and immovable, all rights, liabilities and obligations of the Government relating to the IRDP shall stand transferred to and vest in the Board :
- (c) every person in the service of the Republic serving in or in connection with the affairs of the IRDP shall, notwithstanding anything contained in any contract or agreement or in the terms and conditions of service serve, if so required by the Government, under the Board; and
- (d) anything done, action taken, order passed, appointment made, notification issued, or purported to have been done, taken, passed, made or issued, by the Government in respect of the IRDP after the 16th day of December, 1971, and before the commencement of this Ordinance, shall be deemed to have been validly done, taken ,passed, made or issued and shall have and shall be deemed always to have had effect accordingly, and shall not be called in question in any court of law.

H M ERSHAD, ndc, psc

DHAKA;

The 9th December, 1982.

LIEUTENANT GENERAL
Chief Martial Law Administrator.

SHAMSUR RAHMAN
Deputy Secretary.

BGP- 82/83-3918G-7275-20-12-82.