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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

Law and parliamentary Affairs Division

NOTIFICATION

Dhaka, the 11th April, 1984

No. 350-pub.- The following Ordinance made by the President of the People's Republic of Bangladesh, on the 5th April, 1984, is hereby published for general information:-

THE BANGLADESH PUBLIC ADMINISTRATION TRAINING CENTRE
ORDINANCE, 1984

Ordinance No. XXVI of 1984

AN

ORDINANCE

to provide for the establishment of a Public Administration Training Centre

WHWEREAS it is expedient to provide for the establishment of a public Administration Training Centre and for matters connected therewith or incidental thereto;

NOW, THEREFORE, in pursuance of the Proclamation of the 24th March, pleased to make and promulgate the following Ordinance:-

1. Short title and commencement.- (1) This Ordinance may be called the Bangladesh Public Administration Training Centre Ordinance, 1984.

(2) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

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2. Definitions.-In this Ordinance, unless there is anything repugnant to the subject or context,-

- (a) "Board" means the Board of Governors of the Centre;
- (b) "Chairman" means the Chairman of the Board ;
- (c) "Centre" means the Bangladesh Public Administration Centre; established under section 3;
- (d) "member" means a member of the Board;
- (e) "prescribed" means prescribed by rules or regulations made under this ordinance; and
- (f) "Rector" means the Rector appointed under section 8.

3. Establishment of the Centre.-(1) There shall be the Bangladesh Public Administration Centre to be called the Bangladesh Public Administration Centre for carrying out the purposes of this Ordinance.

(2) The Centre shall be body corporate having perpetual succession and a common seal with power acquire, hold and dispose of property, both moveable and immovable, and shall by the said name sue and be sued.

4. General direction.-(1) Subject to the rules and regulations made under this Ordinance, the general direction and administration of the affairs of the Centre shall vest in a Board of Governors which may exercise all powers any do all things which may be exercised or done by the Board.

(2) The board in discharging its factions shall be guided on questions of policy by such instructions as may be given to it by the Government from time to time.

5. Board.-(1) The Board shall consist of the following members, namely:-

- (a) Minister to be nominated by the Government who shall also be the Chairman of the Board;
- (b) Cabinet Secretary, *ex-officio*;
- (c) Rector, *ex-officio*;
- (d) Secretary, Ministry of Establishment, *ex-officio*;
- (e) Secretary, Finance Division, *ex-officio*;
- (f) Secretary, Education Division, *ex-officio*;
- (g) a Vice-Chancellor of a University to be nominated by the Government;
- (h) Commandant, Defence Services Command and Staff College, *ex-officio*;
- (i) Chairman, Bangladesh Federation of Commerce and Industry, *ex-officio*;
- (j) Chairman, Department of Public Administration, University of Dhaka, Chittagong, Rajshahi or Jahngirnagar by rotation in that order;
- (k) two persons including one woman to be nominated by the Government.

(2) The members mentioned in sub-section (1) (g), (j) and (k) shall hold office for a period of two years.

6. Functions of the Centre.- The Functions of the Centre shall be-

- (a) to equip senior public and business executive of Bangladesh for their role in a dynamic and developing society;
- (b) to impart tin-service training to persons in the service of the Republic and of local authorities;
- (c) to provide foundational training to the officers of different cadres and sub-cadres of Bangladesh Civil Service;
- (d) to provide foundational and refresher training to non-cadre officers of the Government;
- (e) to organise research publication on public administration and development;
- (f) to publish books, periodicals and reports on administration and development;
- (g) to establish and maintain libraries and reading rooms;
- (h) to advise the Government on any specific problem of administration and development as and when referred to it;
- (i) to prescribe courses of training;
- (j) to grant certificates to persons who have undergone training at the Centre;

and

- (k) to do such other acts and things as may be considered necessary for carrying out the purposes of this Ordinance.

7. Meetings of the Board.-(1) The meetings of the Board shall be held at such times and places and in such manner as may be prescribed:

Provided that, until so prescribed, such meetings shall be held at such times and places as may be determined by the Chairman.

(2) To constitute a quorum at a meeting of the Board, not less than six members shall be present.

(3) All meetings of the Board shall be presided over by the Chairman and, in his absence, by a member authorised in writing by the Chairman.

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

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

8. Rector.-(1) There shall be a Rector of the Centre who shall be appointed by the Government on such terms and conditions as may be determined by it.

(2) The Rector shall be a whole time officer executive of the Centre.

(3) Subject to the provisions of this Ordinance, the Rector shall manage the business and fund of the Centre and shall be responsible for the efficient management of the business of the Centre and for the proper execution of the decision of the Board.

(4) The Rector shall perform such other functions as may be assigned to him by the Board or as may be prescribed.

(5) If a vacancy occurs in the office of Rector or if the Rector is unable to discharge the functions of his office on account of absence, illness or any other cause, the Government shall make by such arrangement for discharging the functions of the Rector as it may consider expedient.

9. Director and Member of Directing Staff.-(1) There shall be appointed such number of Directors and Members of the Directing Staff of the Centre as the Government may determine from time to time.

(2) A Director or a Member of the Directing Staff shall be appointed by the Government on such terms and conditions as it may determine.

(3) A Director or a Member of the Directing Staff shall perform such functions as may be assigned to him by the Rector or as it may determine.

10. Appointment of officers, etc.-The Centre may, subject to such general or special order as the Government may give from time to time, appoint such officers and other employees as it considers necessary for the efficient performance of its functions on such terms and conditions as may be prescribed.

11. Committees.-The Board may appoint such committee as it may consider necessary to assist it in the performance of its function:

12. Delegation of powers.-The Board may, by general or special order in writing, 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 also by the Chairman, the Rector, a member or by such officer of the Centre as may be so specified:

Provided that no power to make regulations under section 20 shall be delegated under this section.

13. Funds of the Centre.-(1) The funds of the Centre shall comprise-

- (a) grants made by the Government;
- (b) grants from the local authorities;
- (c) loans obtained from the Government and local authorities;
- (d) sale proceeds and royalties accruing from the property owned by the Centre;
- (e) receipts from any other source.

(2) The funds of the Centre shall be kept in a scheduled Bank approved by the Board.

14. Budget of the Centre.- The Centre shall, by such date in each year as may be specified by the Government, submit to the Government for approval a budget for each financial year showing the estimated receipts and expenditure and the sums which are likely to be required from the government during that financial year.

15. Audit and Accounts.-(1) The Centre shall maintain its accounts in such manner and from as may be prescribed.

(2) The accounts of the Centre shall be audited by the Comptroller and Auditor-General of Bangladesh, hereinafter in this section referred to 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 authorised by him in this behalf shall have access to all records, books, documents, cash, securities, stores and other property of the Centre and may examine the Chairman or any member or any officer or employee of the Centre.

(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 Centre shall take steps forthwith to remedy any defect or irregularity pointed out in the audit report.

16. Submission of annual report, etc.-(1) The Centre shall as soon as possible after the end of every financial year, submit to the Government an annual report on the conduct of its affairs for that year.

(2) The Government may require the Centre to furnish any report, return, statement, estimate, statistics or other information regarding any matter under the control of the Centre and the Centre shall comply with every such requisition.

17. Certain training organisations to cease to exist, etc.-(1) Notwithstanding anything contained in any other law for the time being in force or in any regulation, resolution, agreement, contract or other instrument, on the commencement of this Ordinance-

(a) Bangladesh Administrative Staff College, National Institute of Public Administration, Civil Officer Training Academy, Staff Training Institute and Regional Staff Training Institutes, hereinafter referred to as the said training organisations, shall cease to exist;

(b) all assets, rights, powers, authorities and privileges and all properties, movable or immovable, cash and bank balances, reserved funds, investments and all other rights and interest in, or arising out of, such properties and all books of accounts, registers, records and all other documents of whatever nature relating thereto, of the said training organisations shall stand transferred to, and vest in the Centre;

(c) all debts, liabilities and obligations incurred, all contracts entered into and all matters and things engaged to be done by, with or for, the said training organisations before such commencement shall, be deemed to have been incurred, entered into or engaged to be done by, with or for, the Centre;

(d) all suits, prosecutions and other legal proceedings instituted by or against the said training organisations shall be deemed to have been instituted by or against the Centre and may be continued or proceeded with accordingly;

(e) every person serving in connection with the affairs of the said training organisations shall stand transferred to the Centre and shall serve the Centre on such terms and conditions, not being disadvantageous to him, as the Government may determine, and the person so transferred shall, except in the matter of dismissal, removal or reduction in rank, be subject to the power and control of the Centre in the same manner and to the same extent as, any officer or employee appointed by the Centre;

(2) The Government may, for the purposes of removing any difficulty in relation to the transfer and other matters specified in sub-section (1), make such orders as it may consider expedient and any such order shall be deemed to be, and given effect to as, part of the provisions of this Ordinance.

18. Indemnity.- No Suit, prosecution or other legal proceedings shall lie against the Board, the Chairman, the Rector or any member of the Board or any officer or employee of the Center for anything done or intended to be done in good faith under this Ordinance.

19. Power to make rules.- The Government may, by notification in the official Gazette, make rules for carrying out the purpose of this Ordinance.

20. Power to make regulations.-(1) The Board may make regulations, not inconsistent with this Ordinance or rules made thereunder, to provide for all matters for which provision is necessary or expedient fro 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 into force on such publication.

DHAKA;
The 5th April, 1984

H M ERSHSAD, ndc, psc
LIEUTENANT GENERAL
President.

মুহাম্মদ আবুল বাশার ভূঞা
উপ-সচিব (ড্রাফটিং)।
