

**THE BANGLADESH JUTE RESEARCH INSTITUTE
ACT, 1974**

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**THE BANGLADESH JUTE RESEARCH INSTITUTE
ACT, 1974**

ACT NO. XIII OF 1974

[6th February, 1974]

An Act to establish a Jute Research Institute.

WHEREAS it is expedient to establish a Jute Research Institute for the purpose of undertaking agricultural and technical research on Jute and for matters incidental or ancillary thereto;

It is hereby enacted as follows:-

1. (1) This Act may be called the ¹[Bangladesh] Jute Research Institute Act, 1974.

Short title and commencement

(2) It shall be deemed to have come into force on the 10th day of November, 1973.

Definitions

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

(a) "Board" means the Board of ²[Management]of the Institute;

(b) "Chairman" means the Chairman of the Board;

³[(c) "Council" means বাংলাদেশ কৃষি গবেষণা কাউন্সিল established by বাংলাদেশ কৃষি গবেষণা কাউন্সিল আইন, ১৯৯৬ (১৯৯৬ সনের ৭ নং আইন);

(cc) "Director-General" means the Director-General of the Institute;]

(d) "Institute" means the Jute Research Institute established by this Act;

¹ The word "Bangladesh" was inserted by section 2 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

² The word "Management" was substituted for the word "Governors" by section 3 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

³ Clauses (c) and (cc) were substituted for the former clause (c) by section 3 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

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

(f) "prescribed" means prescribed by rules or regulations made under this Act.

Establishment
of the Institute

3. (1) On the commencement of this Act, there shall be established an Institute to be called the Bangladesh Jute Research Institute.

(2) The Institute 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.

Head Office,
etc.

4. (1) The Head Office of the Institute shall be located at ¹[Dhaka].

(2) The Institute may establish offices and branches at such other places as the Board may think fit.

Management

5. (1) Subject to rules and regulations made under this Act, the General direction and administration of the Institute and its affairs shall vest in a Board of ²[Management] which may exercise all powers and do all acts and things which may be exercised or done by the Institute.

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

Certain
direction etc. of
Council to be
given effect to

³**6.** Notwithstanding anything contained in this Act, the Institute, or any of its functionaries shall, in relation to the affairs of the Institute, ensure that-

(a) any direction issued by the Council under or in pursuance of the provisions of section 8 or 14 of বাংলাদেশ কৃষি গবেষণা কাউন্সিল আইন, ১৯৯৬ (১৯৯৬ সনের ৭ নং আইন) is, complied with and

¹ The word "Dhaka" was substituted for the word "Dacca" by section 4 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

² The word "Management" was substituted for the word "Governors" by section 5 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

³ Sections 6, 6A, 6B were substituted for former section 6 by section 6 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

- (b) any recommendation or determination made or advice given by the Council under or in pursuance of the said provisions is given effect to :

Provided that where, in the opinion of the Institute, it is not possible to give effect to such recommendation or advice or any part thereof,-

- (i) the Institute shall, without delay, communicate its opinion with reasons therefore to the Council; and
- (ii) the Council may, after consideration of such opinion, modify or revoke its earlier recommendation or advice, or may issue fresh recommendation or advice on the same subject :

Provided further that the recommendation or advice so modified or issued afresh, as the case may be, shall be deemed to be a direction under clause (a) and shall be complied with accordingly.

6A. (1) The Board shall consist of the following members, namely:-

Constitution of
the Board

- (a) the Director-General, who shall also be the Chairman of the Board, *ex-officio*;
- (b) one eminent technologist in the field of jute products, to be nominated by the Ministry or Division dealing with Jute;
- (c) a representative of the Bangladesh Federation of Chambers of Commerce and Industries, to be nominated by that Federation;
- (d) a representative of the Council, to be nominated by it;
- (e) a representative of the Bangladesh Jute Mills Corporation, not below the rank of Director, to be nominated by the Ministry or Division dealing with Jute;
- (f) a representative of the Department of Agricultural Extension, not below the rank of Director, to be nominated by the Ministry or Division dealing with agriculture;
- (g) the Directors of the Institute, *ex-officio*;

- (h) two senior scientists of the Institute, to be nominated by the Ministry or Division dealing with agriculture;
- (i) two representatives, one from among the farmers and the other from among the Non-Government Organisations (NGO's) performing the functions similar to those of the Institute, to be nominated by the Ministry or Division dealing with agriculture; ¹[* * *]
- (j) three representatives, one from each of the Ministries and Divisions dealing with agriculture, finance and jute, not below the rank of Deputy Secretary, to be nominated by the respective ²[Ministry or Division; and]
- ³(k) a representative of the Bangladesh Council of Scientific and Industrial Research (BCSIR), not below the rank of Member, to be nominated by the Ministry of Science and Information & Communication Technology.]

(2) The Director-in-charge of Administration of the Institute shall act as the Secretary of the Board.

Tenure of membership, resignation etc.

6B. (1) The members specified in clause (i) of section 6A (1) shall hold office for a period of three years from the date of their nomination:

Provided that such members may resign their membership in writing addressed to the Chairman.

(2) A person shall cease to be a member, if he-

- (a) dies; or
- (b) being a member specified in clause (i) of section 6A(1)-
 - (i) resigns his membership under the proviso to subsection (1) of this section;

¹ The word "and" was omitted by Section 2 of the Bangladesh Jute Research Institute (Amendment) Act, 2002 (Act No. XIX of 2002).

² The words and semi-colon "Ministry or Division; and" were substituted for the words and full stop "Ministry or Division." by Section 2 of the Bangladesh Jute Research Institute (Amendment) Act, 2002 (Act No. XIX of 2002).

³ Clause (k) was added by Section 2 of the Bangladesh Jute Research Institute (Amendment) Act, 2002 (Act No. XIX of 2002).

- (ii) his tenure expires under sub-section (1) of this section; or
- (iii) remains absent, without permission of the Chairman, from three consecutive meetings of the Board; or
- (c) is declared by a competent court to be of unsound mind; or
- (d) is an undischarged insolvent; or
- (e) has been, on conviction for a criminal offence involving moral turpitude, sentenced to imprisonment for a term of not less than three months or to a fine not less than five thousand taka and unless a period of two years has elapsed since his release or realisation of the fine, as the case may be, a person so sentenced shall not be eligible to be a member.]

7. (1) The ¹[Director-General] shall be appointed by the Government for such period and on such salary, terms and conditions as the Government may determine. ²[Director-General]

(2) The ³[Director-General] shall-

- (a) be a whole time officer and the chief executive of the Institute;
- (b) exercise such powers and perform such functions as may be prescribed or assigned to him by the Board from time to time; and
- (c) divest himself of any directorship held by him in any other corporation, company or concern otherwise than on behalf of the Institute.

¹ The word "Director-General" was substituted for the words "Executive Director" by section 7 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

² The word "Director-General" was substituted for the words "Executive Director" by section 7 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

³ The word "Director-General" was substituted for the words "Executive Director" by section 7 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

Functions of the
Institute

8. The functions of Institute shall be-

- (a) to ¹[* * *] promote agricultural, technological and economic research on jute and allied fibres and their manufactures and dissemination of results thereof;
- (b) to organise production, testing and supply of improved pedigree of jute seeds and multiplication procurement and their distribution to recognised organisations, selected growers and such other agencies as may be approved by the Board;
- (c) to set up research centres, sub-stations, pilot projects and farms in different regions of the country for carrying out research on different problems of jute and allied fibre crops, jute products and allied materials;
- (d) to establish project areas for demonstration of new varieties of jute developed by the Institute and to train the farmers for cultivation of those varieties of jute;
- (e) to publish annual reports, monograms, bulletins, and other literatures relating to jute research and the activities of the Institute;
- (f) to organise training of officers and progressive farmers in modern improved method of jute and cultivation of allied fibre crops and also to train technical hands for utilisation of technological research findings; and
- (g) to do and perform such other activities as may be necessary for the purposes of this Act.

Meetings of the
Board

9. (1) The meetings of the Board shall be held at such times and places as may be prescribed:

Provided that a meeting may also be otherwise convened by the ²[Secretary of the Board], with the prior approval of the Chairman, when he so thinks fit.

¹ The words and comma “regulate, control and” were omitted by section 8 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

² The words “Secretary of the Board” were substituted for the words “Executive Director” by section 9 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

(2) Four members shall constitute a quorum at a meeting of the Board.

(3) At a meeting of the Board, each member shall have one vote, and in the event of equality of votes the Chairman ¹[or the member presiding over the meeting] shall have a second or casting vote.

(4) The meeting of the Board shall be presided over by the Chairman, and in the absence of the Chairman, ²[* * *] by a member elected for the purpose by the members present.

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

10. (1) The Institute shall have its own Fund which shall be utilised by it to meet charges in connection with its functions under this Act. Funds of the Institute

(2) The Fund shall consist of-

- (a) grants made by the Government;
- (b) loans obtained from the Government;
- (c) loans and foreign aids obtained by the Institute with the prior approval of the Government; and
- (d) all other sums received by the Institute.

(3) The Institute may open a deposit account with any bank or banks.

³**11.** (1) There shall be three Advisory Committees, namely, the Agricultural Research Committee, the Technological Research Committee and the Seed Production Committee, consisting of such persons as may be appointed by the Board from among Advisory Committees

¹ The words “or the member presiding over the meeting” were inserted by section 9 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

² The words “by the Vice-Chairman or in his absence” were omitted by section 9 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

³ Section 11 was substituted by section 3 of the Jute Research Institute (Amendment) Ordinance, 1983 (Ordinance No. XXI of 1983).

persons who, by virtue of their knowledge and experience, can render valuable advice to the agricultural and technological research on jute and seed production.

(2) The ¹[Director-General] shall be the Chairman of the three committees.]

Appointment of Advisers, Directors, Officers etc.

²[**12.** For the efficient performance of the functions of the Institute-

- (a) the Government may appoint such number of Directors and on such terms and conditions as it may determine from time to time;
- (b) the Board may appoint such number of advisers, officers and other employees and on such terms and conditions as it may determine from time to time.]

Annual budget statement

13. The Institute shall, by such date in each year as may be prescribed, submit to the Government for approval a statement to be called the annual budget statement, in the prescribed form for each financial year showing the estimated receipts and expenditure during that financial year.

Accounts and audit

14. (1) The Institute shall maintain its accounts of the receipts and expenditures in such manner and in such form as the Government may, in consultation with Comptroller and Auditor-General, hereinafter referred to as the Auditor-General specify.

(2) The accounts of the Institute shall be audited by not less than two auditors, being chartered accountants within the meaning of the Bangladesh Chartered Accountants Order, 1973 (P.O. No. 2 of 1973), who shall be appointed by the Institute in consultation with the Auditor-General, and shall, in regard to the extent and method of their audit, be guided by such directions as may be given by the Auditor-General.

¹ The word "Director-General" was substituted for the words "Executive Director" by section 10 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

² Section 12 was substituted by section 11 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

(3) Notwithstanding anything contained in sub-section (2), the Auditor-General may, at any time, either of his own motion or upon a request in this behalf from the Government, undertake such audit of the accounts of the Institute as may be considered necessary, and the Institute shall, at the time of such audit, produce the account books and connected documents at such place or places as the Auditor-General may direct, and furnish such explanation and information as the Auditor-General or any officer authorised by him in this behalf may ask for.

(4) Every auditor appointed under sub-section (2) shall be given a copy of the annual balance-sheet of the Institute and shall examine it together with the accounts and vouchers relating thereto, and shall have a list delivered to him of all books kept by the Institute, and shall at all reasonable times have access to books of accounts and other documents of the Institute, and may in relation to such accounts examine any Director or officer of the Institute.

(5) The auditors shall report to the Government upon the annual balance-sheet and accounts, and in their report they shall state whether in their opinion the balance-sheet contains all necessary particulars and is properly drawn up so as to exhibit a true and correct view of the state of affairs of the Institute and, if they have called for an explanation or information from Board, whether it has been given and whether it is satisfactory.

(6) The Government may, at any time, issue directions to the auditors requiring them to report to it upon the adequacy of measures taken by the Institute for the protection of the interest of the Government and of the creditors of the Institute or upon the sufficiency of the information and other means placed at the disposal of the auditors in auditing the accounts of the Institute.

15. (1) The Institute shall, as soon as possible after the end of every financial year, furnish to the Government a statement of the accounts audited by the auditors together with a report of the Board thereon and an annual report on the conduct of its affairs during the year.

Statement of
accounts, etc.

(2) The Institute shall furnish to the Government such other statements, returns and reports as the Government may from time to time require.

(3) The copies of the statement of the audited accounts and the annual report received by the Government shall be published in *official Gazette* and laid before Parliament.

Public servants,
etc.

16. (1) The ¹[advisers, Director-General, Directors and other officers and] employees of the Institute shall, while acting or purporting to act in pursuance of any provision of this Act or the rules and regulations made thereunder, be deemed to be public servants within the meaning of section 21 of Penal Code (Act XLV of 1860).

(2) The Institute shall not be construed as a "factory", "shop", "establishment", "commercial establishment", "industrial establishment" or "industry" within the meaning of the Factories Act, 1965 (E. P. Act IV of 1965), the Shop and Establishments Act, 1965 (E.P. Act VII of 1965), the Employment of Labour (Standing Orders) Act, 1965 (E. P. Act VIII of 1965) or the Industrial Relations Ordinance, 1969 (Ord. XXIII of 1969).

Dissolution of
the Bangladesh
Central Jute
Committee

17. Upon the commencement of this Act, the Bangladesh Central Jute Committee registered under the Societies Registration Act, 1860 (Act XXI of 1860), shall notwithstanding anything contained in that Act, stand dissolved, and upon such dissolution-

- (a) all assets of the Bangladesh Central Jute Committee, hereinafter referred to as the said Committee, shall stand transferred to, and vested in, the Institute;

Explanation. The expression "assets" includes all rights, powers, authorities and privileges and all property, movable and immovable, cash and bank balances and all other interests and rights in, or arising out of, such property and all books of accounts, registers, records and all other documents of whatever nature relating thereto;

¹ The words and commas "advisers, Director-General, Directors and other officers and" were substituted for the words and commas "Directors, officers, advisers and other" by section 12 of the Bangladesh Jute Research Institute (Amendment) Act, 1996 (Act No. VIII of 1996).

- (b) all debts, liabilities and obligations of whatever kind of the said Committee subsisting immediately before the commencement of this Act shall, unless the Government otherwise directs, be the debts, liabilities and obligations of the Institute;
- (c) all officers and other employees of the staff of the said Committee shall be deemed to be officers and other employees of the Institute and shall hold office on the same terms and conditions as were enjoyed by them immediately before the commencement of this Act and shall continue to do so unless and until their remuneration or terms and conditions are duly altered by the Institute:

Provided that the Government may alter their remuneration or terms and conditions of service whenever it deems fit so to do.

18. The Government may, by notification in the *official Gazette*, make rules for carrying out the purposes of this Act. Power to make rules

19. (1) The Institute may, with the previous approval of the Government, make regulations, not inconsistent with the provisions of this Act, or the rules made thereunder, to provide for all matters for which provisions are necessary or expedient for the purposes of giving effect to the provisions of this Act. Power to make regulations

(2) All regulations made under this section shall be published in the *official Gazette* and shall come into force on such publication.

20. (1) The Jute Research Institute Ordinance, 1973 (Ord. XXIV of 1973), is hereby repealed. Repeal and savings

(2) Notwithstanding such repeal, anything done or any action taken, including any order made, notification issued or direction given under the said Ordinance shall be deemed to have been done, taken, made, issued or given, as the case may be, under the corresponding provision of this Act.
