

**THE GANDHI ASHRAM (BOARD OF TRUSTEES)
ORDINANCE, 1975**

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**THE GANDHI ASHRAM (BOARD OF TRUSTEES)
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ORDINANCE NO. LI OF 1975

[4th October, 1975]

An Ordinance to provide for the constitution of a Board of Trustees for the better administration and development of the Gandhi Ashram at Jayag in the district of Noakhali.

WHEREAS it is expedient to provide for the constitution of a Board of Trustees for the better administration and development of the Gandhi Ashram at Jayag in the district of Noakhali and for matters ancillary thereto;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render immediate action necessary;

NOW, THEREFORE, in pursuance of the Proclamation of the 20th August, 1975, and in exercise of the powers conferred by clause (1) of Article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to make and promulgate the following Ordinance:-

1. This Ordinance may be called the Gandhi Ashram Short title
(Board of Trustees) Ordinance, 1975.

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

- (a) "Board" means the Board of Trustees of the Gandhi Ashram constituted under section 3;
- (b) "Chairman" means the Chairman of the Board;
- (c) "Gandhi Ashram" means the Gandhi Ashram at Jayag in the district of Noakhali;
- (d) "prescribed" means prescribed by rules or regulations made under this Ordinance;
- (e) "Trustee" means a Trustee of the Board.

Constitution of the Board

3. (1) As soon as may be after the commencement of this Ordinance, the Government shall, by notification in the *official Gazette*, constitute a Board to be called the Board of Trustees of the Gandhi Ashram.

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

(3) The head office of the Board shall be at Jayag in the district of Noakhali or at such other place as the Government may, by notification in the *official Gazette*, specify.

Composition of the Board

4. (1) The Board shall consist of a Chairman and six other Trustees to be appointed by the Government.

(2) The Chairman and the other Trustees shall hold office for a period of three years:

Provided that the Government may terminate the appointment of the Chairman or any other Trustee before the expiration of his term.

Functions of the Board

5. The functions of the Board shall be-

- (a) to administer and develop the Gandhi Ashram;
- (b) to establish vocational institutes;
- (c) to establish homes for widows, orphans and destitutes;
- (d) to provide for training in spinning, weaving, bee-keeping, pisciculture and such other subjects as would help the trainees to undertake gainful occupation;
- (e) to establish cottage industries;
- (f) to provide for Ambar Charkha;
- (g) to do such other things as would enable the people to live in peace and harmony and to be self reliant.

Meetings of the Board

6. (1) The meetings of the Board shall be called by the Chairman on such dates and at such times and places as may be specified by him.

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

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

(4) All questions at a meeting of the Board shall be decided by the majority of the Trustees present and voting, and in the event of equality of votes, the person presiding shall have a second or casting vote.

(5) Proceedings of the meetings of the Board shall be recorded and maintained by the Secretary and circulated by him among the trustees within a month and submitted for confirmation at the next meeting of the Board.

7. (1) There shall be a Secretary of the Board who shall be appointed by the Board on such terms and conditions as the Board may determine.

Appointment of Secretary and other Officers

(2) The Board may appoint such other officers and employees as it considers necessary for the efficient performance of its functions on such terms and conditions as it may determine.

(3) The Secretary and the other officers and employees of the Board shall exercise such powers and perform such functions as may be prescribed or assigned by the Board.

8. (1) The funds of the Board shall comprise-

Funds of the Board

- (a) grants from the Government;
- (b) grants or donations from any foreign Government, institution or organisation;
- (c) donations and endowments;
- (d) receipts from any institute or training centre maintained by it; and
- (e) income from sale of goods produced in the Gandhi Ashram.

(2) The funds of the Board shall be kept in any bank, and its bank account shall be operated by such trustee or officer as it may specify.

Audit and account

9. (1) The Board shall keep proper accounts of all moneys received and expended by it.

(2) The accounts of the Board shall be audited by the Comptroller and Auditor-General of Bangladesh.

Submission of reports, etc.

10. (1) The Board shall submit to the Government an annual report on the conduct of its affairs.

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

Delegation of powers

11. 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 also by the Chairman or by the Secretary or by such Trustee or officer of the Board as may be so specified.

Power to make rules

12. The Government may, by notification in the *official Gazette*, make rules to carry out the purposes of this Ordinance.

Power to make regulations

13. The Board may, with the previous approval of the Government, make regulations, not inconsistent with this Ordinance or the rules made thereunder, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Ordinance.

Extinction of the Ambika-Kaliganga Charitable Trust

14. (1) Notwithstanding anything contained in any other law for the time being in force, or in any agreement, deed or other instrument, upon the constitution of the Board-

- (a) the Ambika-Kaliganga Charitable Trust created by Mr. Hemanta Kumar Ghose by a deed of trust dated the 5th of June, 1949 (hereinafter referred to as the trust deed) shall stand extinguished;

- (b) the Gandhi Ashram, together with all lands, buildings and other properties, movable or immovable, and funds belonging to it, and all lands and buildings described in the trust deed and all other properties, movable or immovable, funds, rights and powers which, immediately before the constitution of the Board, were vested in or held by the trustees of the said Ambika-Kaliganga Charitable Trust shall stand transferred to and vest in the Board;
- (c) all debts, liabilities and obligations of the Gandhi Ashram, and of the trustees of the said Ambika-Kaliganga Charitable Trust, subsisting immediately before the constitution of the Board shall stand transferred to the Board.

(2) The Government may, for the purpose of removing any difficulty in relation to the transfer and other 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 this Ordinance.