

THE NAZRUL INSTITUTE ORDINANCE, 1984**CONTENTS**

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THE NAZRUL INSTITUTE ORDINANCE, 1984

ORDINANCE NO. XXXIX OF 1984

[12th June, 1984]

An Ordinance to provide for the establishment of the Nazrul Institute.

WHEREAS it is expedient to provide for the establishment of the Nazrul Institute and for matters ancillary 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 President is pleased to make and promulgate the following Ordinance:-

Short title and commencement

1. (1) This Ordinance may be called the Nazrul Institute Ordinance, 1984.

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

Definitions

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

- (a) "Board" means the Board of Trustees of the Institute;
- (b) "Chairman" means the Chairman of the Institute;
- (c) "Executive Director" means the Executive Director of the Institute;
- (d) "Institute" means the Nazrul Institute established under section 3;
- (e) "poet" means the poet Kazi Nazrul Islam;
- (f) "prescribed" means prescribed by rules or regulations made under this Ordinance; and
- (g) "trustee" means a member of the Board.

Establishment of the Institute

3. (1) There shall be an Institute to be called the Nazrul Institute for carrying out the purposes of this Ordinance.

(2) The Institute 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.

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

General
direction

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

The Board

- (a) a Chairman to be appointed by the Government from among eminent persons interested in Nazrul sangeet and literature;
- (b) one representative of the Cultural Affairs Division to be nominated by that Division;
- (c) four persons to be nominated by the Government from among persons interested in literary and musical works of the poet; and
- (d) Executive Director of the Institute, who shall also be the Member-Secretary of the Board.

(2) A trustee nominated under sub-section (1)(c) shall hold office for a period of three years from the date of his nominations and shall be eligible for re-nomination.

(3) A trustee nominated under sub-section (1)(c) may resign his office by a notice in writing addressed to the Chairman.

6. The function of the Institute shall be-

Functions of
the Institute

- (a) to promote the study of the works of the poet;
- (b) to collect the poet's songs and other works from home and abroad and to compile, preserve and publish them;
- (c) to make necessary arrangement for research on, and publication of, the literature of the poet and for publicity thereof;

- (d) to organise conferences, lectures, debates and seminars on matters relating to contributions of the poet on sangeet, literature and in other fields;
- (e) to establish library of books, records, tapes and other preservative ensemble relating to Nazrul sangeet and literature;
- (f) to prepare musical notation for propagation of Nazrul sangeet in their true spirit, style and system and to supervise their presentation in acceptable standard in gramophone records, commercial tapes, films and books of published notation in Bangladesh;
- (g) to provide for proper training in Nazrul sangeet and recitation of the Nazrul poems;
- (h) to award prizes and rewards to authors who, in the opinion of the Institute, have made significant contributions in the field of research on the works of the poet;
- (i) to do such other acts and things as may be considered necessary for carrying out the purposes of this Ordinance.

Meetings of the Board

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

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

(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 in writing by the Chairman.

(4) At a meeting of the Board, each trustee 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. (1) There shall be an Executive Director of the Institute who shall be appointed by the Government on such terms and conditions as may be determined by it.

Executive Director

(2) The Executive Director shall be a whole time officer and the Chief Executive of the Institute.

(3) Subject to the provisions of this Ordinance, the Executive Director shall manage the business and fund of the Institute and shall be responsible for the proper execution of the decisions of the Board.

(4) The Executive Director shall perform such other functions as may be assigned by the Board or as may be prescribed.

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

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

Appointment of the officers, etc.

10. 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, a trustee, Executive Director or by such other officer of the Institute as may be so specified:

Delegation of powers

Provided that no power to make regulations under section 17 shall be delegated under this section.

11. (1) The funds of the Institute shall comprise-

Funds of the Institute

- (a) grants made by the Government;
- (b) grants from the local authorities;

(c) sale proceeds and royalties accruing from the property owned by the Institute; and

(d) receipt from any other source.

(2) The funds of the Institute shall be kept in a schedule bank approved by the Board.

Budget of the
Institute

12. The Institute 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 sum which are likely to be required from the Government during that financial year.

Audit and
Accounts

13. (1) The Institute shall maintain its accounts in such manner and form as may be prescribed.

(2) The accounts of the Institute 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 Institute and may examine the Chairman or any other trustee or the Executive Director or any officer or employee of the Institute.

(4) The Auditor-General shall, as soon as possible after completion of the audit, send to the Board his audit report and Board shall forward it with its comments thereon to the Government.

(5) The Institute shall take steps forthwith to remedy any defect or irregularity pointed out in the audit report.

Submission of
annual report,
etc.

14. (1) The Institute 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 Institute to furnish any report, return, statement, estimate, statistics or other information regarding any matter under the control of the Institute and the Institute shall comply with every such requisition.

15. No suit, prosecution or other legal proceedings shall lie against the Board, the Chairman, a trustee, the Executive Director or any officer or employee of the Institute for anything done or intended to be done in good faith under this Ordinance.

Indemnity

16. The Government may, by notification in the *official Gazette*, make rules for carrying out the purposes of this Ordinance.

Power to make rules

17. (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 for the purpose of giving effect to the provisions of this Ordinance.

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.

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