

**THE GOVERNMENT EDUCATIONAL AND TRAINING
INSTITUTIONS ORDINANCE, 1961**

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**THE GOVERNMENT EDUCATIONAL AND TRAINING
INSTITUTIONS ORDINANCE, 1961**

ORDINANCE NO. XXVI OF 1961

[4th August, 1961]

**An Ordinance to establish Boards of Governors for the
Government Educational and Training Institutions in
¹[Bangladesh].**

WHEREAS it is expedient to establish Boards of Governors for some Government Educational and Training Institutions in ²[Bangladesh] for the efficient administration, control and management thereof;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of East Pakistan is pleased to make and promulgate the following Ordinance, namely:-

Short title,
extent,
commencement
and application

1. (1) This Ordinance may be called the ³[* * *] Government Educational and Training Institutions Ordinance, 1961.

(2) It extends to the whole of ⁴[Bangladesh].

(3) It shall come into force at once.

¹ The word “Bangladesh” was substituted for the words “East Pakistan” by Article 2 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President’s Order No. 71 of 1972).

² The word “Bangladesh” was substituted for the words “East Pakistan” by Article 3 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President’s Order No. 71 of 1972).

³ The words “East Pakistan” were omitted by Article 3 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President’s Order No. 71 of 1972).

⁴ The word “Bangladesh” was substituted for the words “East Pakistan” by Article 3 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President’s Order No. 71 of 1972).

(4) It shall apply to such institutions and from such dates as may be notified by the ¹[* * *] Government.

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

- (a) "Board" means the Board of Governors of an institution established under section 3;
- (b) "Chairman" means the Chairman of the Board;
- (c) "institution" means an educational or training institution set up, or to be set up, and notified by the ²[* * *] Government under sub-section (4) of section 1, and includes an establishment or organisation attached thereto;
- (d) "member" means a member of the Board;
- (e) "prescribed" means prescribed by rules made under this Ordinance; and
- (f) "Principal" means the principal officer-in-charge of an institution by whatever style he may be designated, and includes any officer for the time being performing his functions.

3. (1) The ³[* * *] Government may establish a Board of Governors for the efficient management and control of an institution. Establishment of a Board

(2) The Board shall be a body corporate and have perpetual succession and a common seal, with power to enter into contract and to acquire and hold property, movable and immovable, and shall, by its corporate name, sue and be sued.

¹ The word "Provincial" was omitted by Article 3 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

² The word "Provincial" was omitted by Article 4 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

³ The word "Provincial" was omitted by Article 5 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

Constitution of the Board

4. (1) The Board shall consist of not more than ¹[fifteen] members to be appointed by ²[the President of Bangladesh]; and the number of official members and non-official members shall be in such proportion as may be fixed by the ³[President].

(2) One of the members shall be appointed by ⁴[the President of Bangladesh] to be the Chairman of the Board.

(3) Official members, if any, shall be appointed by designation.

(4) Non-official members, if any, shall hold office for a period of 3 years and shall be eligible for re-appointment.

(5) The Principal shall be the Secretary of the Board.

Removal of members

5. ⁵[The President of Bangladesh] may remove any member before the expiry of his term of office without assigning any reason therefore.

Meetings of the Board

6. The meetings of the Board shall be held at such times, in such places and in accordance with such procedure as may be prescribed.

General powers of the Board

7. Subject to other provisions of this Ordinance, the Board shall have full power to administer, control and manage an

¹ The word "fifteen" was substituted for the word "nine" by section 2 of the Government Educational and Training Institutions (Amendment) Ordinance, 1979 (Ordinance No. XXIV of 1979).

² The words "the President of Bangladesh" were substituted for the words "the Governor of East Pakistan" by Article 6 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

³ The word "President" was substituted for the word "Governor" by Article 6 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁴ The words "the President of Bangladesh" were substituted for the words "the Governor of East Pakistan" by Article 6 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁵ The words "The President of Bangladesh" were substituted for the words "The Governor of East Pakistan" by Article 7 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

institution and, in particular, in respect of the following matters:-

- (a) to acquire and dispose of property and generally to enter into contracts in conformity with the purposes of this Ordinance;
- (b) to recruit and to determine the terms and conditions of service of the Principal and other members of the staff of the institution, and all other officers and employees of the Board:

Provided that, in determining the terms and conditions of service in relation to any post carrying a salary of more than five hundred ¹[Taka] *per mensem*, the previous sanction of the ²[* * *] Government shall be necessary;

- (c) to formulate the budget of the institution for approval of the ³[* * *] Government;
- (d) to set up an Executive Committee and such other Standing Committees as may, from time to time, be required for carrying out the purposes of this Ordinance;
- (e) to delegate powers to the Chairman, the Executive Committee, any Standing Committee, the Principal, or other staff of the institution and other officers and employees of the Board; and
- (f) to frame, subject to the approval of the ⁴[* * *] Government, regulations for the conduct of business of the Board.

¹ The word "Taka" was substituted for the word "rupees" by section 3 of the Government Educational and Training Institutions (Amendment) Ordinance, 1979 (Ordinance No. XXIV of 1979).

² The word "Provincial" was omitted by Article 8 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

³ The word "Provincial" was omitted by Article 8 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁴ The word "Provincial" was omitted by Article 8 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

Provisions
regarding staff

8. Any person serving, in connection with the affairs of the ¹[State], in an institution in any capacity immediately before the date notified under sub-section (4) of section 1, may be transferred by the ²[* * *] Government for service under the Board on such terms and conditions as the ³[* * *] Government may determine:

Provided that such terms and conditions shall not be less favourable than those which would have been admissible to him if he had not been so transferred; and no such person shall be dismissed, removed from service or reduced in rank by an authority subordinate to that by which he was appointed.

Property

9. All property, movable or immovable, vesting in the ⁴[* * *] Government in connection with the affairs of the institution immediately before the date notified under sub-section (4) of section 1, shall vest in the Board with effect from the said date; and in the event of the ⁵[* * *] Government rescinding the notification made under sub-section (4) of section 1, the property vesting in the Board shall stand transferred to the ⁶[* * *] Government.

Board Fund

10. (1) There shall be a fund to be known as Board Fund vested in the Board.

¹ The word "State" was substituted for the word "Province" by Article 9 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

² The word "Provincial" was omitted by Article 9 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

³ The word "Provincial" was omitted by Article 9 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁴ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁵ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁶ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

(2) The Board Fund shall consist of -

- (a) grants-in-aid made by the ¹[* * *] Government;
- (b) loans obtained from Government;
- (c) loans raised by the Board with the general or special sanction of the ²[* * *] Government;
- (d) foreign aid and loan obtained by the Board with the sanction of and on terms and conditions approved by the ³[* * *] Government; and
- (e) fees and other sums received by the Board.

(3) All moneys at the credit of the Board shall be kept in such custody as may be prescribed.

(4) The Board Fund shall be utilised by the Board in connection with its functions under this Ordinance including the payment of salaries and other remunerations of the Principal and staff of the institution and of officers and employees appointed under this Ordinance.

11. The Board shall maintain its accounts in such form and manner as may be prescribed.

Maintenance of
accounts

12. The Board shall submit a statement of estimated receipts and expenditures in respect of the next financial year to the ⁴[* * *] Government for approval at such time and in such manner as may be prescribed, and shall give effect to any modifications made therein by the ⁵[* * *] Government.

Annual
financial
statements

¹ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

² The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

³ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁴ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁵ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

Returns and
Statements

13. (1) As soon as may be, after the close of every financial year but not later than the last day of September next following, the Board shall submit to the ¹[* * *] Government for approval a report on the conduct of the affairs of the Board for that year.

(2) The ²[* * *] Government may require the Board to furnish-

- (a) any return, statement, estimate, statistics or other information or report regarding any matter under the administration, control or management of the Board, or
- (b) a copy of any document in the custody of the Board, and the Board shall comply with every such requisition.

Audit

14. (1) The accounts of the Board shall be audited in such manner as may be prescribed.

(2) Copies of the Audit Report shall be sent to the Board and, with the comments of the Board, to the ³[* * *] Government.

(3) The Board shall carry out any directive issued by the ⁴[* * *] Government for rectification of an audit objection.

Chairman,
members and
employees to be
public servants

15. The Chairman and members of the Board, the members of the Executive Committee and the Standing Committees constituted under this Ordinance, and the officers and employees of the institution and other officers and employees appointed under this Ordinance shall, when acting or purporting to act in pursuance of the provisions of this Ordinance, be deemed to be public servants within the meaning of section 21 of the ⁵[* * *] Penal Code, 1860.

¹ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

² The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

³ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁴ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

⁵ The word "Pakistan" was omitted by Article 11 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).

16. No suit, prosecution or legal proceeding shall lie against the Board, Chairman, members or officers and employees of the Board or institution in respect of anything done or intended to be done, in good faith, under this Ordinance. Indemnity

17. (1) The ¹[* * *] Government may make rules for carrying out the purposes of this Ordinance. Power to make rules

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

- (a) the terms and conditions on which Government servants may be transferred to the Board;
- (b) the frequency of meetings of the Board and the procedure that shall be followed at such meetings;
- (c) the forms and registers for keeping the accounts;
- (d) the manner in which, and the time at which, the Annual Financial Statement shall be submitted to the ²[* * *] Government for approval;
- (e) the returns, statements, estimates, statistics, information or reports which may be submitted to the ³[* * *] Government;
- (f) the manner in which the accounts of the Board shall be audited;
- (g) the custody in which the Board Fund shall be kept; and
- (h) any other matter required under the provisions of this Ordinance to be prescribed.

18. The Board may, subject to the previous approval of the ⁴[* * *] Government, make regulations, not inconsistent with the provisions of this Ordinance and the rules made thereunder, to provide for all matters for which provision is necessary or expedient for carrying out the purposes of this Ordinance. Regulations

¹ The word "Provincial" was omitted by section 4 of the Government Educational and Training Institutions (Amendment) Ordinance, 1979 (Ordinance No. XXIV of 1979).

² The word "Provincial" was omitted by section 4 of the Government Educational and Training Institutions (Amendment) Ordinance, 1979 (Ordinance No. XXIV of 1979).

³ The word "Provincial" was omitted by section 4 of the Government Educational and Training Institutions (Amendment) Ordinance, 1979 (Ordinance No. XXIV of 1979).

⁴ The word "Provincial" was omitted by Article 10 of the Government Educational and Training Institutions (Adaptation) Order, 1972 (President's Order No. 71 of 1972).