

**THE HINDU RELIGIOUS WELFARE TRUST
ORDINANCE, 1983**

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**¹THE HINDU RELIGIOUS WELFARE TRUST
ORDINANCE, 1983**

ORDINANCE NO. LXVIII OF 1983

[20th December, 1983]

**An Ordinance to provide for the establishment of a
Hindu Religious Welfare Trust.**

WHEREAS it is expedient to provide for the establishment of a Hindu Religious Welfare Trust and for matters incidental and 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 Hindu Religious Welfare Trust Ordinance, 1983.

(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 constituted under section 5;
- (b) "Chairman" means the Chairman of the Board;
- (c) "prescribed" means prescribed by rules or regulations made under this Ordinance;
- (d) "Trust" means the Hindu Religious Welfare Trust established under section 3;
- (e) "Trustee" means a Trustee of the Board; and
- (f) "Vice-Chairman" means the Vice-Chairman of the Board.

Establishment
of the Trust

3. (1) There shall be established a Trust to be called the Hindu Religious Welfare Trust for carrying out the purposes of this Ordinance.

¹ The Ordinance was declared void by the Appellate Division of the Supreme Court of Bangladesh in Civil Appeal No. 48 of 2011 and subsequently the Ordinance has been made effective as an Act of Parliament by section 4 and Schedule of ১৯৮২ সনের ২৪ মার্চ হইতে ১৯৮৬ সালের ১১ নভেম্বর তারিখ পর্যন্ত সময়ের মধ্যে জারীকৃত কতিপয় অধ্যাদেশ কার্যকরণ (বিশেষ বিধান) আইন, ২০১৩ (২০১৩ সনের ০৭ নং আইন)।

(2) The Trust 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 Trust shall be at such place as the Government may, by notification in the *official Gazette*, specify.

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

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

- (a) Minister, Religious Affairs Division, who shall also be the Chairman of the Board; and
- (b) ²[twenty-one] Trustees to be appointed by the Government.

(2) The Government shall appoint one of the Trustees to be the Vice-Chairman of the Board.

(3) The Trustees appointed by the Government shall hold office for a period of three years.

(4) The Government may at any time terminate the appointment of a Trustee without assigning any reason.

(5) An appointed Trustee may at any time resign his office in writing addressed to the Chairman.

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

¹ The brackets and figure “(1)” were inserted by section 2 of the Hindu Religious Welfare Trust (Amendment) Ordinance, 1986 (Ordinance No. VII of 1986).

² The word “twenty-one” was substituted for the word “fourteen” by section 2 of the Hindu Religious Welfare Trust (Amendment) Act, 1990 (Act No. V of 1990).

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 four Trustees shall be present.

(3) All meetings of the Board shall be presided over by the Chairman and, in his absence, by the Vice-Chairman and, in the absence of both, by any other Trustee authorised by the Chairman in this behalf.

(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.

Functions of the Trust

7. (1) The functions of the Trust shall generally be to provide for the religious welfare of the Hindu community.

(2) In particular and without prejudice to the generality of the foregoing provisions, the Trust may,-

- (a) provide financial assistance for the maintenance and administration of places of Hindu religious worship;
- (b) adopt measures for the maintenance of sanctity of places of Hindu religious worship;
- (c) do such other acts and things as may be considered necessary for carrying out the purposes of this Ordinance.

Appointment of officers, etc.

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

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

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

9. 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, or by such other Trustee or by an officer of the Board as may be so specified.

Delegation of powers

10. (1) The Trust shall have its own fund which shall be utilised by it to meet the charges in connection with its functions under this Ordinance.

Funds of the Trust

(2) The Government shall make a fixed deposit of ¹[nine crore taka] with a scheduled bank and the interest accruing therefrom from time to time shall be transferred to the fund of the Trust as grant of the Government ²[:

Provided that, the Government may from time to time increase the amount of the fixed deposit.]

(3) The fund shall consist of-

- (a) interest accrued from the fixed deposit made by the Government under sub-section (2);
- (b) donations and endowments;
- (c) receipts from such other sources as may be approved by the Board.

(4) All moneys of the Trust shall be kept in any scheduled bank.

(5) The bank account of the Trust shall be operated by such Trustee or officer as the Board may determine.

¹ The words “nine crore Taka” were substituted for the words “two crore taka” by section 2 of the Hindu Religious Welfare Trust (Amendment) Act, 2001 (Act No. LI of 2001).

² The colon (:) was substituted for the full-stop (.) and thereafter the proviso was added by section 2 of the Hindu Religious Welfare Trust (Amendment) Act, 2001 (Act No. LI of 2001).

Audit and
accounts

11. (1) The Board shall keep proper account of all moneys received and expended by the Trust.

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

Submission of
reports, etc.

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

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

Power to make
rules

13. The Government may, by notification in the *official Gazette*, make rules for the purpose of giving effect to the provisions of this Ordinance.

Power to make
Regulations

14. The Trust may, with the previous approval of the 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 the purpose of giving effect to the provisions of this Ordinance.
