

**THE UNIVERSITY GRANTS COMMISSION OF
BANGLADESH ORDER, 1973**

PRESIDENT'S ORDER NO. 10 OF 1973

[15th February, 1973]

WHEREAS it is expedient to provide for the constitution of a University Grants Commission and for matters connected therewith;

NOW, THEREFORE, in pursuance of paragraph 3 of the Fourth Schedule to the Constitution of the People's Republic of Bangladesh, and in exercise of all powers enabling him in that behalf, the President is pleased to make the following order:-

1. (1) This Order may be called the University Grants Commission of Bangladesh Order, 1973.

(2) It extends to the whole of Bangladesh.

(3) It shall come into force at once and shall be deemed to have taken effect on the 16th day of December, 1972.

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

- (a) "Chairman" means the Chairman of the Commission;
- (b) "Commission" means the University Grants Commission of Bangladesh constituted by this Order;
- (c) "Government" means the Government of the People's Republic of Bangladesh;
- (d) "prescribed" means prescribed by rules or regulations made under this Order.

3. On the commencement of this Order, there shall be constituted a Commission to be called the University Grants Commission of Bangladesh.

4. (1) The Commission shall consist of the following members, namely:-

Full-time members-

(a) a Chairman to be appointed by the Government;

¹[(b) at least two, but not exceeding five, as may be determined by the Government, other members to be appointed by the Government;]

Part-time members-

(c) three Vice-Chancellors of the Universities by rotation;

(d) three Deans or Professors of the Universities by rotation;

(e) three members to be nominated by the Government, of whom one shall be a member of the Planning Commission, one shall be the Secretary, Ministry of Education and Cultural Affairs, and the other shall be a representative of the Ministry of Finance not below the rank of a Secretary.

(2) The Chairman and other full-time members of the Commission shall be appointed from amongst persons who are eminent educationists or who have acquired extensive experience of University administration or who have achieved academic distinctions:

Provided that a person serving under the Government shall not be eligible for appointment as a Chairman or other full-time member of the Commission.

(3) The Chairman and other full-time members of the Commission shall hold office for a period of four years on such terms and conditions as the Government may determine:

Provided that the Chairman shall be eligible for holding office for a second term.

¹ Sub-clause (b) was substituted by section 2 of the University Grants Commission of Bangladesh (Amendment) Act, 1998 (Act No. 17 of 1998).

(4) The three Vice-Chancellors shall hold office as members of the Commission for a period of two years by rotation in such manner and order as may be determined by the Vice-Chancellors of the Universities.

(5) The three Deans or Professors shall hold office as members of the Commission for a period of two years by rotation in such manner and order as may be determined by the Vice-Chancellors of the Universities:

Provided that such Deans or Professors shall be from the Universities whose Vice-Chancellors are not members of the Commission.

(6) The two part-time members of the Commission nominated by the Government shall hold office for such period as the Government may determine.

(7) The Chairman shall not be removed from his office except on the like grounds and in the like manner as a Judge of the High Court, but any other full-time member may be removed from his office by the Government after consultations with the Chairman.

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

5. (1) The Commission shall-

- (a) assess the needs in the field of University education and formulate plans for the development of such education;
- (b) determine the financial needs of the Universities;
- (c) receive funds from the Government and allocate and disburse, out of such funds, grants to the Universities for their maintenance and development;
- (d) evaluate the programmes under implementation for development of University teaching departments, institutes and other constituent institutions;

- (e) examine all kinds of University development plans;
- (f) collect statistical and other information on University matters;
- (g) advise the Government on the establishment of new Universities or on proposals for expansion of the existing Universities;
- (h) advise the Government on proposals to grant the right to confer special degree-awarding status on colleges which may be considered suitable for such status;
- (i) exercise such other powers and perform such other functions as may be conferred on it by any law or by the Government.

(2) The Commission shall have the right to visit the Universities or to have them visited by teams of experts as and when necessary for evaluating their programmes and assess their needs and requirements.

(3) If any University fails within a reasonable time to comply with any recommendation made by the Commission, the Commission may, after taking into consideration the cause, if any, withhold from the University the grants proposed to be made out of the Fund of the Commission.

6. (1) Save as hereinafter provided, the Commission shall regulate the procedure for its meetings.

(2) The meetings of the Commission shall be called by the Chairman on such date and at such time and place as may be specified by him.

¹[(3) To constitute a quorum at a meeting of the Commission, not less than one-third of the total number of members, including one full-time member, shall be present.]

¹ Clause (3) was substituted by section 3 of the University Grants Commission of Bangladesh (Amendment) Act, 1998 (Act No. 17 of 1998).

(4) At a meeting of the Commission each member shall have one vote and in the event of equality of votes the Chairman shall have a second or casting vote.

(5) All meetings of the Commission shall be presided over by the Chairman and, in the absence of the Chairman, by a member of the Commission authorised in writing by the Chairman.

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

8. The Government shall, after due appropriation made under law in this behalf, pay to the Commission in each financial year such sums as may be considered necessary for the maintenance and the improvement of Universities or for the promotion of higher education and research and for the purpose of all other functions of the Commission under this Order.

9. The Commission shall have its own Fund which shall comprise-

- (a) grants from the Government;
- (b) loans from the Government;
- (c) donations and endowments; and
- (d) receipts of the Commission from such other sources as may be approved by the Government.

10. The Commission shall, by such date in each year as may be prescribed, submit to the Government for approval, a budget in the prescribed form for such financial year showing the estimated receipts and expenditure and the sums which are likely to be required from the Government.

11. (1) The Commission shall cause to be maintained such books of account and other books in relation to its account in such form and in such manner as may, in consultation with the Comptroller and Auditor-General of Bangladesh (hereinafter referred to as the Auditor-General), be prescribed.

(2) The Commission shall, as soon as may be after closing its annual accounts, prepare a statement of accounts in such form, and forward the same to the Auditor-General by such date, as the Government may, in consultation with the Auditor-General, determine.

(3) The accounts of the Commission shall be audited by the Auditor-General at such times and in such manner as he thinks fit.

(4) The annual accounts of the Commission together with the audit report thereon shall be forwarded to the Government and the Government shall cause the same to be laid before Parliament and shall also forward a copy of the audit report to the Commission for taking suitable action on the matters arising out of the audit report.

12. The Commission shall, not later than the first day of March each year, prepare a report on its activities during the year ending on the previous thirty-first day of December and submit it to the Government; and the Government shall cause the report to be laid before Parliament.

13. In the event of any dispute arising between the Commission and a University out of an action of the Commission which is considered by the University concerned to have adversely affected its interest, an appeal shall lie with the President:

Provided that such an appeal shall be submitted through the Commission which shall forward the appeal along with its views to the President within the shortest possible time.

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

15. (1) The Commission may, with the approval of the Government, make regulations, not inconsistent with the provisions of this Order and the rules, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Order.

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