

**THE SANTOSH ISLAMIC UNIVERSITY (BOARD OF
TRUSTEES) ORDINANCE, 1983**

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¹THE SANTOSH ISLAMIC UNIVERSITY (BOARD OF TRUSTEES) ORDINANCE, 1983

ORDINANCE NO. LXV OF 1983

[10th November, 1983]

An Ordinance to provide for the constitution of a Board of Trustees for the better administration and development of the Santosh Islamic University.

WHEREAS it is expedient to provide for the constitution of a Board of Trustees for the better administration and development of the Santosh Islamic University 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 Chief Martial Law Administrator is pleased to make and promulgate the following Ordinance:-

Short title

1. This Ordinance may be called the Santosh Islamic University (Board of Trustees) Ordinance, 1983.

Definitions

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

- (a) "Board" means the Santosh Islamic University Board of Trustees;
- (b) "Chairman" means the Chairman of the Board;
- (c) "prescribed" means prescribed by regulations made under this Ordinance;
- (d) "Santosh Islamic University" means the Islamic University at Santosh in the district of Tangail established by Moulana Abdul Hamid Khan Bhasani;
- (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 of Trustees for the Santosh Islamic University to be called the Santosh Islamic University Board of Trustees.

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 কার্যকরকরণ (বিশেষ বিধান) আইন, ২০১৩ (২০১৩ সনের ০৭ নং আইন)।

(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 moveable and immovable, and shall by the said name sue and be sued.

4. (1) The Board shall consist of nine Trustees to be appointed by the Government.

Composition of
the Board

(2) The Government shall appoint from among the Trustees a Chairman, Vice-Chairman and a Secretary of the Board.

(3) The Chairman and the Secretary shall be full-time Trustees and shall hold office on such terms and conditions as the Government may determine.

(4) The Vice-Chairman and other Trustees shall hold office for a period of three years from the date of their appointment:

Provided that the Government may terminate the appointment of any of these Trustees before the expiration of his term.

(5) A Trustee may resign his office by writing under his hand addressed to the Government:

Provided that no resignation shall take effect until it has been accepted by the Government.

5. The functions of the Board shall be-

Functions of the
Board

- (a) to administer all properties, moveable and immovable, of the Santosh Islamic University;
- (b) to raise and collect funds for the Santosh Islamic University and to invest them;
- (c) to take over the funds and properties of the Santosh Islamic University in the possession and management of its Project Implementation Committees;
- (d) to take over the educational and religious institutions of the Santosh Islamic University including the vocational projects and production units thereof;

- (e) to maintain, supervise and develop the educational and religious institutions of the Santosh Islamic University;
- (f) to implement the vocational projects of the Santosh Islamic University;
- (g) to manage and develop the production units of the Santosh Islamic University;
- (h) to regulate the conduct and services of the officers and employees of the educational and religious institutions and projects of the Santosh Islamic University;
- (i) to prepare master plan for the Santosh Islamic University and to take steps for the implementation of the plan;
- (j) to set up and maintain new educational and religious institutions keeping in view the aims and objects of the Santosh Islamic University;
- (k) to do such other things ancillary or incidental to any of the aforesaid functions.

Appointment of
Committees

6. The Board may appoint from among the Trustees such Committee or Committees as it may deem necessary to assist it in the performance of its functions.

Appointment of
officers, etc.

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

Meetings of the
Board

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

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 three 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.

(4) At a meeting of the Board, each Trustee shall have one vote and, in the event of equality of votes, the Chairman 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.

(6) No act or proceedings of the Board shall be invalid or called in question merely on the ground of any vacancy in, or any defect in the constitution of, the Board.

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

Funds of the Board

(2) The funds of the Board shall comprise-

- (a) funds of the Santosh Islamic University, the Santosh Islamic University Project Implementation Committee and the Local Project Committee;
- (b) grants from the Government;
- (c) grants from the local authorities;
- (d) donations and endowments;
- (e) receipts from the institutions maintained by the Board;
- (f) receipts from any other source.

(3) The funds of the Board shall be kept in any scheduled bank, and its bank account shall be operated by such Trustee or Trustees as it may specify.

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

Audit and accounts

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

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

Submission of reports, etc.

(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.

Power to make regulations

12. The Board may, with the previous approval of the Government, make regulations to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Ordinance.

Transfer of assets, etc., of the Santosh Islamic University to the Board

13. (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 Santosh Islamic University Project Implementation Committee and the Local Project Committee of the Santosh Islamic University, hereinafter referred to as the said Committees, shall stand dissolved;
- (b) all assets, rights, powers, authorities and privileges and all properties, moveable and immoveable, cash and bank balances, funds, investments and all other rights and interests in, or arising out of, such properties of the said Committees and also of the Santosh Islamic University shall stand transferred to and vest in the Board;
- (c) all debts, liabilities and obligations of the said Committees and also of the Santosh Islamic University shall stand transferred to the Board;
- (d) all suits, prosecutions and other legal proceedings instituted by or against the said Committees or the Santosh Islamic University before such constitution shall be deemed to be suits, prosecutions or proceedings by or against the Board and shall be proceeded or otherwise dealt with accordingly.

(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.
