

**THE GOVERNMENT PRIMARY SCHOOL TEACHERS
WELFARE TRUST ORDINANCE, 1985**

CONTENTS

SECTIONS

1. Short title
 2. Definitions
 3. Establishment of the Trust
 4. General direction
 5. Board
 6. Meetings of the Board
 7. Functions of the Trust
 8. Appointment of officers, etc.
 9. Delegation of powers
 10. Funds of the Trust
 11. Entitlement to benefits under this Ordinance
 12. Audit and accounts
 13. Submission of reports, etc.
 14. Power to make rules
 15. Power to make regulations
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***THE GOVERNMENT PRIMARY SCHOOL
TEACHERS WELFARE TRUST ORDINANCE, 1985**

ORDINANCE NO. XXVI OF 1985

[4th June, 1985]

**An Ordinance to provide for the establishment of a
Government Primary School Teachers Welfare Trust.**

WHEREAS it is expedient to provide for the establishment of a Government Primary School Teachers Welfare Trust and for matters connected therewith;

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:-

1. This Ordinance may be called the Government Primary School Teachers Welfare Trust Ordinance, 1985. Short title

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

- (a) "Board" means the Board of Trustees constituted under section 5;
- (b) "Chairman" means the Chairman of the Board;
- (c) "dependent", in relation to a teacher, means spouse, minor sons, unmarried daughters and parents;
- (d) "prescribed" means prescribed by rules or regulations made under this Ordinance;
- (e) "teacher" means a teacher of a Government primary school and includes a retired teacher but does not include a teacher who is not entitled to any benefit under this Ordinance;
- (f) "Trust" means the Government Primary School Teachers Welfare Trust established under section 3;
- (g) "Trustee" means a Trustee of the Board.

* 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 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), ধারা ৪।

Establishment
of the Trust

3. (1) There shall be established a Trust to be called the Government Primary School Teachers Welfare Trust for carrying out the purposes of this Ordinance.

(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 located at Dhaka.

(4) The Trust may, with the previous approval of the Government, establish such regional or branch offices as it deems fit.

General
direction

4. Subject to rules 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 and done by the Trust.

Board

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

(a) the Director-General of the Directorate of Primary Education, *ex-officio*, who shall also be the Chairman of the Board;

(b) a Director of the Directorate of Primary Education to be nominated by the Government who shall also be the Vice-Chairman of the Board;

(c) the Deputy Director (Administration) of the Directorate of Primary Education, *ex-officio*, who shall also be Treasurer of the Board;

¹(d) four officers, of whom two shall be from the Primary and Mass Education Division and one each from the Directorate of Primary Education and Compulsory Primary Education Implementation and Monitoring Unit, to be nominated by the Government;

(e) ten teachers to be nominated by the Government after consultation with the Bangladesh Primary Teachers Association:

¹ Clause (d) and (e) were substituted by section 2 of the Government Primary School Teachers Welfare Trust (Amendment) Act, 2000 (Act No. XXII of 2000).

Provided that where there are more than one association of teachers and no agreement can be reached among them on nomination of teachers, the Government's decision on such nomination shall be final.]

(2) One of the Trustees nominated under sub-section (1)(e), to be specified by the Government, shall act as the Secretary of the Board.

(3) The nominated Trustees shall hold office for a period of two years.

(4) The authority which nominated a Trustee may at any time remove him without assigning any reason.

(5) A nominated Trustee may at any time resign his office by writing under his hand addressed to the Chairman.

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

Meetings of the Board

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 seven 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 of the Board 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 proceedings 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.

7. (1) The functions of the Trust shall generally be to provide for the welfare of the teachers and their dependents.

Functions of the Trust

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

- (a) provide financial assistance for the medical treatment of teachers and their dependents;
- (b) provide financial assistance in the form of lump sum grant, scholarship or stipend to the spouse and meritorious children of teachers;
- (c) provide vocational and other professional training to the spouse and children of teachers;
- (d) do such other acts and things as may be considered necessary for carrying out the purposes of this Ordinance.

Appointment of officers, etc.

8. The Trust 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.

Delegation of powers

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 such officer of the Board as may be so specified.

Funds of the Trust

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.

(2) The Government shall make a fixed deposit of twenty lakh taka with a bank constituted under the Bangladesh Banks (Nationalisation) Order, 1972 (P.O. No. 26 of 1972), and the interest accruing therefrom from time to time shall be transferred to the fund of the Trust as grant of the Government.

(3) The fund of the Trust shall consist of-

- (a) the interest accrued from the fixed deposit made by the Government under sub-section (2);
- (b) income from investments and other deposits;

- (c) donations and endowments;
- (d) subscriptions from teachers payable under this Ordinance; and
- (e) receipt from any other source.

(4) All moneys of the Trust shall be kept in the Bank with which the fixed deposit under sub-section (2) has been made.

(5) The bank account of the Trust shall be operated jointly by the Chairman and the Treasurer.

11. (1) Notwithstanding anything contained in this Ordinance, no teacher shall be entitled to any benefit under this Ordinance unless he pays to the Trust a sum of twenty taka as initial subscription within six months of his appointment as a teacher or within six months from the date of commencement of this Ordinance, whichever is later, and a sum of two taka as annual subscription.

Entitlement to benefits under this Ordinance

(2) The sum specified in sub-section (1) shall be paid in such manner as may be prescribed.

12. (1) The Trust shall keep proper account of the moneys received and expended by it.

Audit and accounts

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

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

Submission of reports, etc.

(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.

14. 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 rules

Power to make
regulations

15. 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.
