

GOVERNMENT OF BANGLADESH
INFORMATION DEPARTMENT
NOTIFICATION

No. FDC/2R-1/69/74—30th April 1970—In exercise of the power conferred by section 45 of the (Bangladesh) Film Development Corporation Act, 1957 (Act XV of 1957), the Governor is pleased to make the following rules, namely :—

THE (BANGLADESH) FILM DEVELOPMENT CORPORATION RULES, 1970

1. Title and Commencement.- (i) These rules may be called the (Bangladesh) Film Development Corporation Rules, 1970.

(ii) They shall come into force at once.

2. Definitions.- In these Rules, unless there is anything repugnant in the subject or context,—

(a) **“Act”** means the (Bangladesh) Film Development Corporation Act, 1957.

(b) **“Board of Directors”** means the members of the Board of Directors of the (Bangladesh) Film Development Corporation including the Chairman and the Managing Director of the Corporation.

(c) **“Corporation”** means the (Bangladesh) Film Development Corporation.

(d) **“Employees”** means the person in the service of the (Bangladesh) Film Development Corporation.

(e) **“Government”** means the Government of (Bangladesh).

(f) **“Officers”** mean the Officers in the service of the (Bangladesh) Film Development Corporation.

(g) **“Secretary”** means the Secretary of the (Bangladesh) Film Development Corporation.

(h) All other terms and expressions used but not defined in these Rules shall have the same meaning as defined in the Act.

3. Submission of Schemes to the Government.- All Schemes to be submitted to the Government by the Corporation under clause (d) of sub-section (2) of section 24 of the Act shall contain such information as may be necessary to indicate their soundness and propriety from financial point of view and shall as far as possible be in such forms as may be prescribed by the Government, from time to time. The Corporation shall also submit feasibility reports, progress reports, completion reports, annual progress reports and any other report on the working of the scheme in such forms as may be prescribed by the Government, from time to time.

4. Meeting of the Board of Directors.- (1) Meetings of the Board of Directors shall be held at least once in every two months and a copy of the Minutes of each meeting shall be forwarded to the Government

(2) Meeting of the Board of Directors shall ordinarily, be held at Dacca, and if it is so decided by the Board, a meeting may be held at such other place where there is an office of the Corporation.

5. Meeting of Executive Committee.- Meeting of the Executive Committee shall be held at least once in a month at the Head Office of the Corporation at Dacca.

6. Information regarding disqualification of Directors.- When it comes to the notice of the Board that any of the Director has incurred any disqualification as specified in section 11 or section 12 of the Act, the Board shall inform the Government of such disqualification of the Director.

7. Manner and form in which contracts binding on the Corporation may be executed.- Contracts, on behalf of the Corporation, may be made in the following manner, namely:—

Any Contract which, if made between the Corporation and private parties would by law be required to be in writing signed by the parties to be charged therewith, may be made on behalf of the Corporation in writing signed by the person acting under its authority, and may in the same manner be varied or discharged.

8. Investment of Funds.- (1) Save, as otherwise provided, the funds of the Corporation shall be administered by the Board.

(2) The Board may decide as to the amount of money required for day-to-day business of the Corporation, and about its safe custody and disposal.

(3) The Board may determine the amount to be invested in various schemes for research and development.

(4) Money in the Reserve Fund of the Corporation established under section 36 of the Act shall be invested in Government security.

9. Receipts.- The Corporation shall make arrangements to receive any dividend or other payments falling due on account of shares held by the Corporation.

11. Accounts.- The accounts of the Corporation shall be kept strictly on commercial lines and shall be maintained under the supervision of qualified accountants having experience in commercial accounting.

11. Budget.- The Corporation shall submit to the Government in the Prescribed Forms and by the respective dates, as may be required by the Government the following budgets every year, namely:—

(i) Annual Development Budget;

(ii) Revised Annual Development Budget;

(iii) Foreign Exchange Budget;

(iv) Detailed Budget along with summarized heads, under 'Cash' 'Revenue' and 'Capital' in respect of completed projects/ companies managed by the Corporation; and

(v) Foreign Exchange Budget for revenue expenditure.

The above budgets shall be approved by the Board of Directors and submitted to the Government at least three months before the close of the financial year,

12. Operation of funds for development Programme.- The Corporation shall prepare a Budget of its Development Programme Annually for the next financial year and submit it to the Government for sanction and may draw the amounts as may be sanctioned by the Government. The Budget shall disclose the expenditure to be incurred for development work

in each project. The money drawn against the budget sanctioned by the Government shall be kept by the Corporation in such bank or banks as may be approved by the Government and only such disbursements of the funds shall be made as shall be requisitioned by the project, from time to time, within their sanctioned Budget.

13. Foreign Exchange Component.- If Foreign Exchange Component of any scheme is provided by any foreign loan or credits in kind, the Government shall deduct the proportionate Taka cover from the budget annually submitted by the Corporation for its sanction and shall release the balance cash component annually to the Corporation. The Taka cover of the Foreign Exchange Component shall be released by the Government in favour of the Corporation if the Foreign Exchange allocation is not in kind and provided that the Taka cover for the Foreign Exchange is deposited in the State Bank of (Bangladesh) by the Corporation to the Credit to the Government.

14. Annual Report.- The Corporation shall submit its Annual Report not later than the 31st day of March in the year following that to which the report relates. The report shall consist of the following parts, namely-

(a) Report on the conduct of the affairs of the Corporation for the preceding financial year on the pattern of the report of the Board of Directors of the Commercial Corporation to the Share holders;

(b) Information collected by the Corporation to indicate the prospect of the companies sponsored by it and their balance sheets;

(c) Budget proposal of the Corporation for the next financial year;

(d) Estimated amount of money required by the Corporation for the next financial year with allowances given to the need for flexibility, including provision for emergencies and contingencies in order that the Corporation may properly carry out its activities authorized by the Act.

15. Appointment of the Chairman.- A Senior Officer of the rank and status of the Secretary to the Government will be appointed as one of the Directors to be the Chairman of the Board of Directors of the Corporation under section 14 of the (Bangladesh) Film Development Corporation Act, 1957. He shall hold office as Chairman for a term of 3 years and thereafter until his successor is appointed subject to his continuing to hold office as Director. He shall be eligible for re-appointment. As Chairman of the Board of Directors, he will have overall control over the affairs of the Corporation.

16. Appointment of the Managing Director.- The Managing Director shall be appointed by Government under section 9 of the (Bangladesh) Film Development Corporation Act, 1957. He shall be the Executive Head and shall, subject to general or special direction of the Board in this behalf be responsible for efficient administration, discipline and proper conduct of the affairs of the Corporation. He may except in important policy matters, exercise all powers and do all acts and things which may be exercised or done by the Board subject to the direction given by the Board from time to time and in case of urgent policy matters he will have power to take proper action on behalf of the Board with reasons to be recorded in writing subject to report to the next meeting of the Board or the Executive Committee.

17. Technical Advisory Committee.- The Corporation shall appoint a Committee of experts to be called the Technical Advisory Committee to give its advice when required by the Board on the financial and technical aspect of a scheme which may be under the consideration of the Corporation.

18. Selection Board for appointment of employees.- There shall be two Selection Boards (i) The Higher Selection Board; and (ii) the Lower Selection Board.

(a) The Board of Directors shall function as the Higher Selection Board to make selections for appointments to posts carrying an initial monthly salary of Tk. 1,200.00 and above:

Provided that any post carrying an initial monthly salary of Tk. 1,200.00 and above shall be created with the prior approval of the Government;

(b) The Lower Selection Board shall be constituted by the Board of Directors with Managing Director as its Chairman to make selection for appointment to posts carrying a monthly salary below Tk. 1,200.00 excepting the posts of clerks, peons, etc.

19. Recruitment and employment of consultants, advisers, officers and employees.- (1) The Corporation shall lay down regulations for the recruitment and employment of its consultants, advisers, officers and employees. The regulations shall provide, among other things, terms and conditions of service which shall include scales of pay, allowances, if any, period of probation, promotion, transfer, leave, suspension, discharge, dismissal appeal, medical facilities, gratuity, etc,

(2) The appointment of consultants/advisers shall, however, be made with the prior approval of the Government.

20. Law Officers/Legal Advisers.- The Corporation shall obtain prior approval from the Law Department before they appoint any Law Officer/Legal Adviser.

21. Recruitment of Screened out/Dismissed Government Servants.- The Corporation shall not employ any screened out or dismissed Government servants.

22. Recruitment of Compulsorily Retired Government Servants.- The Corporation shall not ordinarily employ any compulsorily retired Government servant; if it is considered essential to employ a compulsorily retired Government servant, prior approval of the Government shall be obtained.

23. Mode of correspondence.- The Corporation shall refrain from corresponding direct with the Central Government, other Departments of the Government of outside agencies on policy matters without prior approval of the Administrative Department.

24. Purchase and sale of goods.- The Corporation shall issue administrative orders prescribing the procedure to be followed by them in regard to the purchase of goods and also the procedure in regard to the sale of goods produced by the Corporation except those which Government would like to purchase and supply.

25. Publicity, Advertisements, etc.- The Corporation shall route all advertisements, notices such as tender notices, situation vacant, etc., through Government Information Department.

26. Interpretation of Rules.- In the event of any dispute as to the interpretation of any of the provisions of these Rules, the decision of the Government shall be final and binding.

27. Power to amend Rules.- The Government may, as and when exigencies arise, amend these rules.

28. Institution of suits by consultants, advisers, officers and employees.- Where a consultant, adviser, officer or employee of the Corporation suffers any wrong in the course

of his official duty, and if he wants to file a suit against any party other than the Government or the Corporation for any wrong he has suffered or supposed to have suffered, he shall take prior permission of the Corporation. A Government servant who is on deputation to the Corporation shall take prior permission of the Government before institution of such a suit by him.

[No. FDC/2R-1/69/74, Dated: 30-04-1970]