

**THE GOVERNMENT-OWNED NEWSPAPERS  
(MANAGEMENT) ACT, 1975**

ACT NO. XLI OF 1975

[21<sup>st</sup> July, 1975]

**An Act to provide for the management and development of Government-owned newspapers and for the dissolution of certain companies established mainly for carrying on the business of publication of newspapers and printing.**

WHEREAS it is expedient to provide for the management and development of Government-owned newspapers, for the dissolution of certain companies established mainly for carrying on the business of publication of newspapers and printing and for matters ancillary thereto;

It is hereby enacted as follows:-

Short title and commencement

**1.** (1) This Act may be called the Government-owned Newspapers (Management) Act, 1975.

(2) It shall be deemed to have come into force on the 13<sup>th</sup> day of June, 1975.

Definitions

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

(a) "Board" means the Board of Management for Government-owned Newspapers constituted under section 3;

(b) "dissolved company" means a company dissolved under section 6.

Constitution of Board of Management

**3.** (1) The Government may, for the purposes of this Act, constitute a Board to be called the Board of Management for Government-owned Newspapers.

(2) The Board shall consist of a Chairman and such number of other members as the Government may deem fit to appoint.

(3) The terms and conditions on which the Chairman and other members shall hold office and the procedure of the meetings of the Board shall be such as may be determined by the Government.

**4. The functions of the Board shall be-**Functions of  
the Board

- (a) to manage, develop, expand and modernise-
  - (i) the newspapers owned by the Government;
  - (ii) the printing presses owned by the Government and used for the purposes of printing and publication of newspapers owned by the Government;
  - (iii) the printing presses vested in the Government under section 6;
- (b) if so authorised by the Government, to enter into or make any contract, agreement or other arrangement relating to the newspapers and printing presses under its management;
- (c) to purchase any plant, machinery, maintenance spares, raw materials and stores or any other goods necessary for the newspapers and printing presses under its management and to dispose of them;
- (d) with the special sanction of the Government, to borrow or raise money on the security of any property under its management;
- (e) to do such other acts and things as the Government may direct, or as may be necessary for the performance of the aforesaid functions.

**5. (1)** The Board shall, in the discharge of its functions, act on sound commercial lines so as to adequately meet the needs of mass communication media of the country and constructively project the progressive national image abroad.

Principle to be  
followed by the  
Board

(2) The Board shall, in the discharge of its functions, be guided by such directions as the Government may give from time to time.

<sup>1</sup>**[5A. (1)]** If, at any time, the Government considers it expedient, it may, by order in the *official Gazette*, dissolve the Board constituted under section 3.

Dissolution of  
the Board

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<sup>1</sup> Section 5A was inserted by section 2 of the Government-owned Newspapers (Management) (Amendment) Ordinance, 1983 (Ordinance No. XIII of 1983).

(2) Upon the dissolution of the Board under sub-section (1),-

- (a) sections 3, 4 and 5 shall be ineffective and shall be deemed to have been omitted; and
- (b) the newspapers and printing presses owned by, or vested in, the Government shall be managed, developed, expanded and modernised in such manner as the Government may determine in this behalf.

(3) Notwithstanding the dissolution of the Board under sub-section (1), anything done or any action taken by the Board prior to its dissolution shall be deemed to have been done or taken by the Government.]

Dissolution of  
certain  
companies

**6.** (1) Notwithstanding anything contained in the Companies Act 1913 (VII of 1913), or in any other law for the time being in force, or in any trust or wakf or in any deed or other instrument, the companies specified in the Schedule shall, upon the commencement of this Act, stand dissolved.

(2) Upon the dissolution of the companies under sub-section (1)-

- (a) all such assets, rights, powers and privileges and properties, movable and immovable, of the dissolved companies, including shares thereof and their shares in any other company, corporation or trust, as have not already vested in the Government under the Bangladesh Abandoned Property (Control, Management and Disposal) Order, 1972 (P.O.No. 16 of 1972), hereinafter referred to as the said Order, and all printing presses, cash and bank balances, reserve funds and investments of the dissolved companies and all other interest and rights in, or arising out of, such property of, or in the possession, power or control of, the dissolved companies shall stand transferred to and vest in the Government;
- (b) all debts and liabilities incurred, all obligations undertaken, all contracts entered into and all engagements made by, or with, and all matters and things engaged to be done by, with or for, any of the dissolved companies for the purpose of, or in relation to, its business and functions shall stand transferred to, and be deemed to have been incurred, undertaken, entered into or made by, with or for, the Government;
- (c) any sum payable to, or recoverable by, any of the dissolved companies for the purpose of, or in relation to, any of its business and functions shall be payable to, or recoverable by, the Government;

- (d) any reference to any of the dissolved companies in any deed, bond, power-of-attorney, grant of legal representation and other instrument of whatever nature for the purpose of, or in relation to, the business and functions of such company shall, except where the context otherwise requires, be construed as reference to the Government and such deed, bond, power, grant or instrument shall have effect accordingly;
- (e) all suits, appeals and other legal proceedings instituted by or against any of the dissolved companies for the purpose of, or in relation to, its business and functions before its dissolution under this section shall be deemed to be suits, appeals and legal proceedings by or against the Government and may be continued or proceeded with accordingly;
- (f) unless in the case of any person the Government by special order terminates his appointment or services and until the Government determines and redefines the terms and conditions of service, the services of all officers and other employees of the dissolved companies shall, notwithstanding anything contained in any contract or agreement or in the conditions of service, stand transferred to the Government on such terms and conditions as were applicable to them immediately before the dissolution of those companies; and
- (g) no officer or other employee of any of the dissolved companies whose services are, by or under this Act, terminated or transferred to the Government shall be entitled to any compensation on account of such termination or transfer.

(3) For the avoidance of dispute it is hereby declared that the properties of the dissolved companies as have vested in the Government under the said Order shall for all purposes whatever cease to be abandoned property within the meaning of the said Order and shall accordingly cease to be subject to the provisions of that Order.

**7. (1)** In respect of the shares in a dissolved company which have vested in the Government under section 6 and the rights arising out of such shares, there shall be paid to the holders of such shares as compensation,-

Compensation

- (a) if the full amount of the value of the shares had been paid, a sum equivalent to the face-value of those shares, and

- (b) if the full amount of the value of the shares had not been paid, a sum equivalent to the amount actually paid on account of such shares.

(2) Acceptance by a shareholder of a dissolved company of the compensation payable under sub-section (1) shall operate as full and complete discharge of such shareholder from any obligations in respect of the debts and liabilities of such company.

(3) If a shareholder declines to accept the compensation payable in respect of his shares under sub-section (1), he shall be entitled to such compensation or, as the case may be, be liable to make such contribution, according as, after assessment of the dissolved company, the value of the assets exceeds or falls short of the liabilities as he would have been entitled or liable had the dissolved company been wound up under the Companies Act, 1913 (VII of 1913).

Repeal and  
savings

**8.** (1) The Government-owned Newspapers (Management) Ordinance, 1975 (XXXIV of 1975), hereinafter referred to as the said Ordinance, is hereby repealed.

(2) Notwithstanding such repeal, any Board constituted, any appointment made, anything done or any action taken under any provision of the said Ordinance shall, in so far as it is not inconsistent with any provision of this Act, be deemed to have been constituted, appointed, done or taken, as the case may be, under the corresponding provision of this Act.

(3) For the removal of doubts it is hereby declared that the Janata Printing and Packaging Limited purported to have been dissolved by the said Ordinance shall be deemed never to have been so dissolved.

#### **SCHEDULE**

(See section 6)

1. Al-Helal Printing and Publishing Company Limited.
  2. Dainik Pakistan Limited.
  3. National News Publications Limited.
  4. Associated Printers Limited.
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