

## **THE OMBUDSMAN IN BANGLADESH**

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### **I Introductory**

Article 77 of the Constitution<sup>1</sup> provides

“77(1) Parliament may, by law, provide for the office of Ombudsman.

- (2) The Ombudsman shall exercise such powers and perform such function as Parliament may, by law, determine, including the power to investigate any action taken by a Ministry, a public officer or a statutory public authority.
- (3) The Ombudsman shall prepare an annual report concerning the discharge of his function and such report shall be laid before Parliament.”

So, when the Constitution had, when it was adopted on 4 November 1972, but commenced from 16 December 1972, desired that Parliament should pass a law establishing the office of Ombudsman, it thereby expressed the will of the people. The expression, “may”, used in clause (1) of the Article 77 clearly indicates that the constitution did not mandate Parliament to establish the office of Ombudsman but left it to the wisdom and discretion of Parliament.

Thirty-three years have passed since enactment of Article 77 but Parliament did not think it wise in its wisdom to establish this office although 25 years ago on the initiative of President Ziaur Rahman an enactment, The Ombudsman Act, 1980, (Act XV of 1980) was passed by the then Parliament. This Act would, if brought into force by a government notification as provided therein would not, however, bring into being an effective watchdog implied in the concept of Ombudsman as understood throughout the civilized world. Before analyzing the Ombudsman Act, 1980, it is, therefore, necessary to examine the experience of various countries which established this institution to monitor, and take action against indolence, illegality and injustice committed by the government, its various departments, various

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<sup>1</sup> The expressions, “Article”, and, “Constitution”, wherever occur in this article shall, unless the context otherwise implies, respectively mean the Article of the Constitution of Bangladesh and Constitution of Bangladesh.

governmental agencies, public officers and (in some countries), even judges.

## II

### The Swedish Experience

The Swedish experiment with the idea of Ombudsman is one of the earliest. As back as in 1713 King Charles XII of Sweden introduced the office of Chancellor of Justice to supervise the government officials as the supreme representative of the King. The most important function of this office was to exercise general supervision in order to ensure that laws and regulations were complied with and public servants discharged their duties properly. This institution took permanent shape and in due course of time was named as the Chancellor of Justice, commonly known as the JK. This office received constitutional recognition in Sweden.<sup>2</sup> Another office of Ombudsman called Justitie Ombudsman, commonly called the JO was founded in 1809. Subsequently, unlike the JK, the JO became a parliamentary representative in order to safeguard the civil rights of the citizens. In 1915, a separate Military Ombudsman known as the MO was appointed to supervise the military affairs. In 1968, the offices of the JO and the MO were amalgamated and three Jos. were appointed from amongst Parliamentary Commissioners for different spheres of supervision. In recent times, six other Ombudsmen for special spheres, namely, the Consumer Ombudsman, the Press Ombudsman, the Equal Opportunities Ombudsman, the Ombudsman against Ethnic Discrimination, the Children's Ombudsman and the Disability Ombudsman were appointed.

The Swedish Ombudsman is a unique institution exercising very extensive jurisdiction. It is empowered to entertain complaints from: -

- (a) a citizen against an official;
- (b) an official against an official;
- (c) a lawyer against a judge;
- (d) the Bar Association against a judge;
- (e) one judge against another judge;
- (f) an organization on behalf of its member; or
- (g) any one

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<sup>2</sup> Constitution of Sweden 1809 Article 27 and the present Constitution of Sweden adopted on 17 July 1919 Article 6.

The Ombudsman may also initiate investigation suo motu without any formal complaint by any one. About 20% of the complaints are initially weeded out. The Ombudsman himself goes through the incoming complaints. The Ombudsman may recommend various remedies against wrongs committed against the citizens and actions against the wrongdoer including prosecution. The Ombudsman's power regarding the judges is somewhat unique but interesting. He is not concerned with the courts' decisions but only with the question of whether a judge has been consistently acting illegally. According to Prof. Gellhorn, the Ombudsman can even go to the extent of prosecuting a judge for "the crime of breach of duty," but he cannot overturn his decisions.<sup>3</sup> Many judges and officials seek the opinion of the Ombudsman on matters of law. Although the system of intervention by the Ombudsman in the conduct of judges may seem to be interference with the independence of the judiciary and rule of law in many countries, in Sweden it has, in view of the special conditions prevailing there, worked effectively and without any complaint.

In short, the offices of the Ombudsman set up in Sweden achieved tremendous success in their respective spheres.

### III

#### The Finish Experience

Before 1809 Finland was a part of the realm of Sweden for nearly six centuries. In 1809 it ceded to the Russian Empire which allowed it to retain its own laws and own autonomous administration as a "**Grand Duchy**". So, it retained the institution of the Chancellor of Justice, which it had inherited while it was a part of Sweden and it went on flourishing in Finland. This institution played a leading role as the only Ombudsman in Finland until 1919 when the country adopted a new constitution wherein it found a place and whereby a new office of Ombudsman was created. Thus, at present two offices of Ombudsman, the Chancellor of Justice and the Parliamentary Ombudsman are functioning. The former is appointed and removed by the President and its main duty is to see that the government observes the laws. The latter is elected by the Parliament by a simple majority for a term of four years and is not removable during the term of his office. The Parliamentary Ombudsman in Finland supervises the activities of the whole body of public officials, the courts, the municipality, the church, the organs of the local government and the public officials.

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<sup>3</sup> See Gellhorn, Ombudsman and others, p. 237 and the Constitution of Sweden adopted on 17 July 1919.

Almost all fields of public activity are within its jurisdiction. It also acts in close co-operation with the Chancellor of Justice.

#### IV

#### **The Danish Experience**

Inspired by the Swedish experience, Denmark established the institution of Ombudsman in 1955.

The first Ombudsman, also known as the Parliamentary Commissioner, took office and began to function in 1955. In Denmark, the constitution of the country had been amended in 1953 to provide for an office of Ombudsman and in pursuance of the amended provision of the constitution,<sup>4</sup> the Ombudsman Act, 1954, was passed creating the office of Parliamentary Commissioner. According to this Act, the Ombudsman is elected by the Parliament after every general election. He can be removed by the Parliament alone. The jurisdiction of the Danish Ombudsman extends to civil and military administration, and, under certain conditions, to local government administration. He has the power to supervise all governmental administration other than the courts. His jurisdiction extends to ministers, civil servants, and all persons acting in the service of the state except those who are engaged in judicial administration. The expression, “the persons who act in the service of the state”, is wide enough to include university teachers, museum curators, clergymen, ballet directors, etc.

#### V

#### **The Norwegian Experience**

In Norway, the Ombudsman known as the *Stortingets Ombudsman* came into existence in 1963. The Norwegian Ombudsman was appointed in pursuance of the report of the Expert Commission of Administrative Procedure by the King-in-Council to examine the question of appropriate safeguards in the public administration. An Act was passed in 1962 for establishment of the office of a Parliamentary Ombudsman and the *Stortingets Ombudsman* or Parliamentary Ombudsman was appointed on 1 January 1963.

In Norway, the Parliament appoints the Ombudsman after each general election for a term of four years. He can be removed by the Parliament by two-third votes during the term of his office. The Ombudsman is independent, even of the Parliament, but the Parliament is empowered to make general regulations for his activity. The Act confers on

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<sup>4</sup> Constitution of Denmark adopted on June 1953, Article 55.

the Ombudsman the duty “to endeavour to ensure that the public administration does not commit any injustice against any citizens”. His jurisdiction “covers the government administrative organs and civil servants, government officials and other public servants.” The Ombudsman in Norway can deal with any administrative matters including municipal administrative matters concerned with the deprivation of personal liberty or right. The Cabinet decisions, the functions of the courts and the functions of the Auditor of Public Accounts are kept out of the ambit of his jurisdiction. A public servant in Norway can also complain to the Ombudsman if he has any grievance against the administration. Unlike the Ombudsman in Sweden, Finland and Denmark, the Norwegian Ombudsman cannot direct a civil servant to be prosecuted or departmentally proceeded against. He can at most say what steps he thinks should be taken. He may also say that a particular decision is invalid or unreasonable. He is required to submit an annual report of his activities to the Parliament. The Annual Report is widely circulated and is used as an administrative guide.

In Norway, there is also a separate Ombudsman for Military Affairs. It has been working since 1952. The Military Ombudsman exercises a general supervision to ensure that all functionaries who are paid out of the defence funds observe laws and instructions.

Norway has also established Children’s Ombudsman since 1981. It was established to further the interests of the children in society. The term of office of the Children’s Ombudsman is four years. He has access to all private and public institutions for children. He ensures that all laws protecting the children’s interests are obeyed and proposes measures to promote the welfare and interests of the children.

In Norway, the Ombudsman has contributed to a great extent to safeguard the rights of the citizens against abuses by the administration. It is an effective weapon to fight “injustice”.

## VI

### The New Zealand Experience

An idea prevailed for many years that the legal and governmental systems in the common law countries being different from those of the Scandinavian countries, the institution of Ombudsman will not succeed in the former, Dispelling this idea, New Zealand successfully adopted the institution of Ombudsman for the first time amongst the common law countries. After deliberations for several years the New Zealand Parliament

passed Parliamentary Commissioner (Ombudsman) Act, 1962 for establishing the office of Ombudsman. In pursuance of this Act, an Ombudsman was appointed the very same year. This Act was, however, replaced by the Ombudsman Act, 1975, which consolidated and amended the 1962 law. By the subsequent Act, material changes were brought in including the extension of the jurisdiction of the Ombudsman along with the provisions for appointment of more than one Ombudsman one of who was to be the Chief Ombudsman.

In New Zealand, the Ombudsman is appointed by the Governor General, (who is the chief executive), on the recommendation of each new Parliament whose tenure is three years. So, naturally the tenure of office of the Ombudsman is three years but the same person can be re-appointed. He can be removed by only the Governor General upon an address by the Parliament for disability, bankruptcy, neglect of duty or misconduct.

The Ombudsman in New Zealand is an officer of the Parliament. He has jurisdiction over all officials who are answerable to the Parliament. His jurisdiction extends to matters of administration, acts or omissions of government departments and other specified organizations. He has also jurisdiction to consider the legality behind any act or omission by public authorities. The principal function of the Ombudsman is to “investigate any decision or recommendation made (including any recommendation made to a Minister of the Crown), or any act done or omitted, relating to a matter of administration and affecting any person or body of persons in his or its personal capacity, or by any of the departments or organizations named in the Schedule to the Act or by any officer, employee, or member thereof in the exercise of any power or function conferred on him by any enactment.”<sup>5</sup> His powers are limited to two conditions. First, he cannot consider the cases of persons who have acted as legal adviser or legal counsel for the Crown in any proceedings. Secondly, he has no jurisdiction over cases in which there is a right of appeal or review by a court or administrative tribunal. In New Zealand, the Ombudsman is also forbidden to investigate cases relating to military affairs. Municipal administration is also left outside the jurisdiction of the Ombudsman.

The function of the New Zealand Ombudsman is only to investigate, report and make recommendations to the Department and the Minister concerned. If his advice is not accepted, he may bring the issue to the

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<sup>5</sup> The Ombudsman Act, 1975 (New Zealand), section 11.

notice of the Prime Minister and the Parliament. He is also required to submit an annual report of his activities to the Parliament.

The institution has resulted in much improved administration in New Zealand.

## VII The English Experience

In the United Kingdom, a committee known as the Whyatt Committee, after the name of its director, Sir John Whyatt was set up in 1961 “to enquire into the adequacy of the existing means of investigating complaints against administrative acts or decisions of the government and other public bodies where there are no tribunals or other procedure available for dealing with the complaints, and to consider possible improvements to such means with particular reference to Scandinavian institution known as the Ombudsman.”<sup>6</sup>

Among others, the Whyatt Committee found that in spite of the fact that the British civil service is one of the best civil services in the world, there were complaints of mal administration and these complaints aimed at official misconduct. The committee then recommended that a new machinery was required to deal with the acts of maladministration and this could best be provided by appointing an officer to investigate the complaints of maladministration and report the results of his investigation to the Parliament. The Committee also suggested that at first his activities should be confined to investigate complaints made only by Members of Parliament. So, a Parliamentary Commissioner for Administration, the Committee suggested, might be set up on the model of the Scandinavian Ombudsman. But, the idea of setting up a Parliamentary Commissioner was dropped by the then Conservative government which was in power then, and until 1964 the idea remained in cold storage. The office was created by the Labour Party government, which came to power in October 1964. The Parliamentary Commissioner for Administration took up office in September, 1966— even before the Parliament enacted the enabling Act which was brought into being by the Parliament in 1967. He began his actual work in April 1967, after the Act had been passed on 22 March 1967.

The Parliamentary Commissioner is appointed by Letters Patent by the Crown. He holds office during good behaviour and until attains the age of

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<sup>6</sup> Report of the Whyatt Committee.

64 years. He can be removed by addresses by both the Houses of Parliament.

The main task of the Parliamentary Commissioner is to investigate complaints of citizens who claim to have suffered injustice in consequence of maladministration by government department in the exercise of their administrative functions. The various department of the government which are subject to its jurisdiction are listed in the Schedule to the Act. The procedures for entertaining complaints and of investigation are also laid down. Certain matters have been left out of the jurisdiction of the Parliamentary Commissioner. In Great Britain, a citizen does not have the right to address a complaint direct to the Parliamentary Commissioner. He must address the complaint to a Member of Parliament who will refer it to the Commissioner at his discretion with the consent of the complainant. When the investigation is complete, the Commissioner sends the report of investigation to the Member of Parliament from whom the complaint had been received. If the Commissioner considers that injustice was caused, he may submit a special report to the Parliament. A copy of the report is also sent to the Permanent Secretary of the department concerned. The Commissioner has no executive power and cannot alter a departmental action or decision. He can, however, suggest appropriate remedies. But, a Minister is under a strong obligation to act on the report of the Commissioner. The Commissioner is required to prepare an annual report of his activities and lay the report before the Parliament.

Besides the Parliamentary Commissioner in Great Britain, the Ombudsman system has been introduced in Local Government and Health Services. Under the Local Government Act, 1972, two Commissions for local administration for England and Wales respectively and under the National Health Services Reorganization Act, 1973, two Health Services Commissioners for England and Wales respectively were established.

At the early stage the institution faced scathing criticism being labeled as the “lame dog”, “toothless tiger,” “swordless crusader”, “Ombudsmouse”, etc., but, ultimately, it has been functioning well and successfully.

The establishment of the offices of Ombudsman also proves the success of the Parliamentary Commissioner for Local Government and Health Services.

### VIII The Bangladesh Context

Although the Ombudsman Act, 1880 was enacted 25 ago, no Ombudsman has, as we have already observed, been appointed. What sort of institution this Act will bring about when this Act will be given effect to, if at all, is the main subject matter of this article.

In this Act,<sup>7</sup> in view of section 6 read with section 2 only “actions” of “public officers” as defined in the letter section can be investigated by the Ombudsman. The Act also does not seem to include certain important public functionaries, such as, Ministers, Members of Parliament, Judges, etc.<sup>8</sup>

The main deficiency in the Act in Bangladesh context is obviously, therefore, that the Ombudsman has no jurisdiction to investigate “acts of corruption” by various public functionaries and certain most important functionaries are cleverly kept out of the jurisdiction of the Ombudsman by more cleverly defining the expression, “public officer,” in section 2 of the Act. “Acts of corruption” and “illegal acquisition of property” are also kept out of the jurisdiction of the Ombudsman. A country where corruption has reached all tolerable limits, and of which each one of the international community and all of us are convinced, what, then, the Ombudsman will do?

Injustice is committed, misadministration occurs; perverted anti-people illegal decisions are taken and certain public functionaries flout rule of law mainly because of corrupt practice. I do not like to say that all public functionaries indulge in corrupt practices but there is no doubt that a considerable section of them are involved in such practices at the cost of the poor, the deprived and the disadvantaged multitudes of this country.

In the present scheme of our government the Ministers play the most important role in shaping the administrative policies of their respective Ministries and in implementing those policies. They are also ultimately responsible to the Parliament for all actions of their respective Ministries and the attached departments thereof. This is because we have reverted back to the Westminster type of parliamentary form of government as was conceived in our original constitution after doing away with a pseudo democratic but in reality an autocrat, as distinguished from a democratic,

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<sup>8</sup> See sections 2 and 6 of the Act and Article 152 of the Constitution.

presidential form of government, brought about by the Constitution (Fourth Amendment) Act, 1975 (Act II of 1975) and lasted for nearly 16 years with further mutilation of the original constitution by various amendments by Martial Law Proclamations promulgated by several types of military take-over of the government and thereby virtually establishing military governments, It must, however, be put on record that the process of authoritarianism was set in motion by a democratically elected popular government which passed the Constitution (Fourth Amendment) Act, 1975. So, when the Ombudsman Act, 1980 was enacted, the above type of presidential form of government in which the pseudo democratic President was not responsible and accountable to any one and the Ministers' functions were to carry out his wishes and orders was in existence. The Secretaries to the government and the other officers in the executive branch of the government were more powerful than the "elected" Ministers. So, the said Act merely reflected the wishes of the President of the country who was the repository of all executive and administrative powers virtually without any accountability. He was not answerable to the Parliament or to any one else for his actions. The Ministers were not responsible to the Parliament but to the President. In such a system of government the Minister need not be subject to the jurisdiction of the Ombudsman, because, they did not take any important and vital administrative decisions, which ultimately were the province of the President. With the restoration of the parliamentary form of government, the situation is now that the President is only a titular constitutional head of the state and is bound to act according to the advice of the Prime Minister who and his/her Ministers take all major policy decisions and are, instead of to the President as before, collectively and individually responsible and accountable to the Parliament. So, to keep their acts, actions and decisions out of the jurisdiction of the Ombudsman means that the establishment of the office of Ombudsman under the present Act will tantamount to the creation of what the British had termed their Parliamentary Commissioner, "an Ombuds-mouse," "a toothless tiger." I am tempted to quote the remarks of the celebrated Judge of the Supreme Court of India Mr. Justice Krishna Ayar, made addressing me after a seminar in New Delhi about the Human Rights Commission of India that it was "a toothless tiger" because of the fact that it kept the uniformed personnel of the government such as, the armed forces, the police, the para-military forces and even a chowkidar virtually out of its jurisdiction although the state violates human rights mostly through these state agencies.

Similarly, there is no justification behind keeping all acts and actions of the Minister, Members of Parliament, Judges, etc., out of the ambit of the investigation of the Ombudsman. Certainly, the judicial acts and decisions of the judges cannot be the subject-matter of any sort of enquiry and investigation by the Ombudsman since there are appellate authorities to do this job. In judicial matters, the judges are required to be kept absolutely independent of, and uninfluenced by, any authority or individual in the state. This has, however, been secured by sub-section (2) of section 6 of the Act. But, what about other acts having no connection with a judicial proceeding? For example, suppose a judge obtains allotment of a government plot in Dhaka city on swearing a false affidavit to the effect that he or his wife has no land or house in Dhaka city? Should such matters as these which have no connection with a judge **in his judicial capacity** not be the subject-matter of any action or investigation by any authority? The Supreme Judicial Council is there to take action against such judges but the Council has hardly any machinery to perform the job of investigation. So, there must be some agencies to enquire about such conduct of the judges as aforesaid and report the result of its enquiry or investigation to the President/Supreme Judicial Council for appropriate action. There cannot be a better institution than the Ombudsman to perform this job.

The powers of the Ombudsman are laid down in sub-section (1) of section 9 of the Act. It provides: "If, after investigation of any action under this Act, it appears to the Ombudsman that injustice has been caused to the complainant or any other person in consequence of maladministration in connection with such action, the Ombudsman shall, by a report in writing, recommend to the competent authority concerned that such injustice should be remedied in such manner and within such time as may be specified in the report."<sup>9</sup> He can also report to the "competent authority" as defined in clause (6) of section 2 of the Act for any legal, departmental or disciplinary action as he may feel necessary, if his recommendations are not given proper weight or any under leniency has been shown to any one against his recommendation. There are some other powers of the Ombudsman, such as, to suggest to the government reform of any law if he finds, during his investigation, any defect in such law.

So, the powers of the Ombudsman under the present Act are, unlike the Ombudsman in other countries, confined to only making

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<sup>9</sup> The Ombudsman Act, 1980, section 9.

recommendations to the government for remedying any injustice done to any citizen resulting from any “action” taken by a Ministry, statutory public authority or public official. There is nothing in the Act to compel the “competent authority” or the government to implement its recommendation.

Secondly, a public functionary has not given the Ombudsman.

Lastly, those who are policy-makers and take final decisions and are, therefore, responsible for acts or omissions committed by the government are cleverly kept out of the jurisdiction of the Ombudsman.

So, the whole concept of the office of Ombudsman as understood in the democratic and civilized world has been totally frustrated by the Act.

If the office of Ombudsman is really established without proper reforms of the Act, what shall this institution turn out to be other than “A toothless tiger”?

### **What is the Remedy**

There is no doubt that one of the main maladies of public administration in Bangladesh is corruption amongst public functionaries. There cannot be a better exposition of how corruption has penetrated into public life and has been destroying it than what the Law Commission of India has said in its “Working Paper Proposing Legislation to Forfeit Property of Corrupt Public Servants: –

“One of the essential requirements of good governance is the absence of corruption. But, unfortunately, corruption has struck deep-roots in our society, including its administrative apparatus. At every rung of the administration, whether at the Centre or in the States, there are corrupt elements who are causing immense loss to the state, to the nation and the public interest. The administrative apparatus of local authorities, public-sector corporations and government companies has become equally bad. When a public servant is paid bribe of, say, a lakh of rupees, it is paid for the reason that the payer gets at least 10 times the benefit, if not more, and that benefit is the loss of the state and the people. It is not so much the amount of the bribe but the quantum of loss to the people that is more relevant. There is no respect for public money and public funds in the minds of many in the administration; public money is nobody’s money. For a small personal benefit, the corrupt are prepared to cause any amount of loss to the state and to the people. On account of corruption, many of the

welfare schemes including the schemes for advancement of scheduled tribes and other weaker sections are not able to achieve the intended results. In fact, a former Prime Minister had observed once that only 16% of the funds meant for welfare of the scheduled tribes reached them and that the remaining 84% was absorbed by the members of the administrative apparatus, politicians and middlemen. A stage has arrived where the corruption is threatening the very security and safety of the state. There is corruption in execution of projects, in awarding contracts, in making purchases, in issuance of license and permits, in appointments, in election and so on and so forth. There is hardly any sphere of life left untouched by corruption in our society. The Prevention of Corruption Act has totally failed in checking the corruption. In spite of the fact that India is noted as one of the most corrupt countries in the world, the number of prosecutions—and more so the number of convictions—under the said Act are ridiculously low. A minister or a top public servant is hardly ever prosecuted under the Act and even in rare event of his being prosecuted, the prosecution hardly ever reaches conclusion. At every stage, there will be revisions and writs to stall and defeat the prosecution. Top lawyers are engaged. Some or other point is raised and the litigation goes on endlessly, thus defeating the true objective of the criminal prosecution. Unfortunately, the courts too come to attach more sanctity to procedure ... Indeed it must be said that criminal justice system in this country has proved totally ineffective particularly against the rich, the influential and the powerful. It is effective, if at all, only against the poor, the destitute and the undefended. We do not, however, think it necessary to stress any further the prevalence and pernicious role of corruption in our body politic as it is an obvious and indisputable fact”.

The situation in Bangladesh is not different from that obtaining in India—it is rather worse.

So, if acts of corruption are kept out of the jurisdiction of the Ombudsman as in the present Act, this institution will be virtually ineffective and will not be able to meet the expectation of the nation. It is, therefore, absolutely necessary that suitable provisions should be made in the Act in order to enable the Ombudsman to investigate cases of corrupt practice by public functionaries along with maladministration by them.

Now, acts of corruption or corrupt practice can hardly be established in most cases for want of evidence, because, those who are involved in corruption hardly leaves any evidence of their acts of corruption. But, corruption almost always manifests itself in providing monetary and other

proprietary benefits to its perpetrators. As such, if any public functionary is found to be in possession or owning properties himself or through others in excess of his known and lawful sources of income, there can be a safe presumption that the said property has been earned by corrupt practice just like the presumption of existence of fire where there is smoke. Consequently, the Ombudsman should be empowered to investigate whether a public functionary owns or possesses properties in excess of his known and lawful sources of income and law should provide for forfeiture of illegally acquired properties to the government.

Before concluding, one question remains to be answered. An Anti-corruption Commission has already been established and as such, a question may arise that conflict of jurisdiction between that of the Commission and that of the Ombudsman may arise.

If the government takes a policy decision to establish a really effective office of Ombudsman as proposed above according to the desire of the people as expressed in the Constitution, there are a hundred and one ways and devices to prevent any conflict of jurisdiction between the two institutions.

\* *While a Member of the Law Commission, I had to hold extensive research on the institution of Ombudsman of various countries and the Ombudsman Act, 1980 (Act XV of 1980). This article is based on the materials collected at that time.*