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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH  
MINISTRY OF LOCAL GOVERNMENT, RURAL DEVELOPMENT  
AND CO-OPERATIVES

Section VI

NOTIFICATION

Dacca, the 24th May, 1980

No. S.R.O. 139-L/80/S-VI/1A-5/80/283.—In exercise of the powers conferred by section 86 of the Local Government Ordinance, 1976 (XC of 1976), the Government is pleased to make the following rules, namely:—

THE SWANIRVAR GRAM SARKARS (CONSTITUTION AND  
ADMINISTRATION) RULES, 1980.

1. **Short title.**—These rules shall be called the Swanirvar Gram Sarkars (Constitution and Administration) Rules, 1980.
2. **Definition.**—In these rules, unless there is anything repugnant in the subject or context,—
  - (a) "Circle Officer", in relation to a gram or Swanirvar Gram Sarkar, means the Circle Officer or Circle Officer (Development) within the local limits of whose jurisdiction the gram or Swanirvar Gram Sarkar is situate.
  - (b) "gram" means a geographically bounded area within a union, inhabited by a community of persons and considered by the community as a gram and notified as such under sub-rule (1) of rule 4;

- (c) "Gram Shava" means a Gram Shava constituted under sub-rule (2) of rule 4 which shall consist of all such persons of the gram concerned whose names appear in the electoral roll of the gram which is, for the time being in force, for the purpose of the election of the members of Parliament;
- (d) "Gram Pradhan" means a person chosen by consensus under sub-rule (2) of rule 5 to be a Gram Pradhan;
- (e) "member" means a member of Swanirvar Gram Sarkar and includes the Gram Pradhan;
- (f) "Ordinance" means the Local Government Ordinance, 1976 (XC of 1976);
- (g) "Prescribed Authority", in relation to a Swanirvar Gram Sarkar, means the Thana Parishad.

3. **Determination of one-half, one-third, etc.**—Where any provision of these rules requires the determination of one-half, one-third or any other fraction of a number and that number is not evenly divisible by 2, 3 or any such figure, the number next below which is evenly divisible by 2, 3 or any such figure shall be taken for the original number.

4. **Declaration of a gram.**—(1) The Circle Officer may, by an order notified in his office and in the offices of the Circle Officer (Revenue) and the Union Parishad within which the gram is situate, declare any rural area to be a gram for the purposes of these rules; and the order so notified shall state the boundaries and name of the gram.

(2) Upon declaration under sub-rule (1) of a rural area to be a gram, a Gram Shava shall stand constituted in the manner prescribed by Rule 2(c).

5. **Constitution of a Swanirvar Gram Sarkar.**—(1) As soon as may be after the commencement of these rules, there shall be constituted a Swanirvar Gram Sarkar for every gram for carrying out the purposes of these rules.

(2) A Swanirvar Gram Sarkar shall consist of a Gram Pradhan and eleven other members of which not less than two shall be women.

(3) As soon as may be after the constitution of a Gram Shava under sub-rule (2) of rule 4, the Circle Officer or an officer authorised by him in this behalf shall convene a meeting of the Gram Shava.

(4) The Gram Pradhan and other members chosen through the consensus of the persons present in the meeting in such a manner as may be agreed upon, shall ensure representation in the Swanirvar Gram Sarkar of people of all walks of life and of different functional/interest groups :

Provided that the Swanirvar Gram Sarkar constituted for the first time may make procedure for choice of members representing different functional/interest groups for the constitution of a Swanirvar Gram Sarkar for the second and subsequent time.

(5) The choice through consensus shall be recorded and signed by the Circle Officer or the person authorised by him in this behalf and a copy thereof shall be supplied to each of the Prescribed Authority, the Chairman of the concerned Union Parishad and the Gram Pradhan chosen in the meeting.

6. **Term of Swanirvar Gram Sarkar.**—(1) The term of the office of the Swanirvar Gram Sarkar shall for the first term be three years and for the subsequent terms five years commencing on the day of its first meeting after its constitution:

Provided that, notwithstanding the expiration of its term, a Swanirvar Gram Sarkar shall continue to function until the first meeting of the Swanirvar Gram Sarkar constituted to succeed it.

(2) A Swanirvar Gram Sarkar shall, after its constitution, hold its first meeting on such a date, not being a date later than thirty days from the day on which the results of the choice of the Gram Pradhan and members of the Swanirvar Gram Sarkar are supplied in the manner specified in sub-rule (5) of rule 5.

7. **Assumption of office.**—(1) As soon as may be, but not later than thirty days after the choice of the Gram Pradhan and the members are supplied under sub-rule (5) of rule 5, the Circle Officer shall, with clear three days' notice, appoint a day for meeting to be held at such place within the gram as the Circle Officer may decide, and the Swanirvar Gram Sarkar shall assume the charge of the office in that meeting.

(2) The Gram Pradhan chosen under sub-rule (3) of rule 5 shall preside over the meeting; but in the absence of the Gram Pradhan, the members present shall elect one of their members to preside over the meeting.

8. **Oath of office.**—(1) In the first meeting after the constitution of Swanirvar Gram Sarkar, the Gram Pradhan shall orally take and subscribe to an oath of office in the following form in Bangla and thereafter administer the same oath of office to all members present at the meeting by turn, and require each member to sign the form of oath.

#### FORM OF OATH

I, ..... having been chosen as the Gram Pradhan/member of the Swanirvar Gram Sarkar of ..... gram, do solemnly affirm that I will bear true faith, and allegiance to Bangladesh, and that I will faithfully perform the duties of my office to the best of my ability, knowledge and judgment.

Dated the .....

Gram Pradhan/Member

(2) When the oath of office has been taken by all members present at the meeting, the Swanirvar Gram Sarkar shall be deemed to have assumed office.

(3) If any member, for reason of absence, or for any other reason, fails to take the oath of office at the first meeting of the Swanirvar Gram Sarkar, the Gram Pradhan or any other person presiding at a subsequent meeting of the Swanirvar Gram Sarkar to be held not later than thirty days after the first meeting shall administer the oath of office to such member, and, on his taking the oath of office he shall be deemed to have taken his seat on the Swanirvar Gram Sarkar.

**9. Qualification etc. of Gram Pradhan and members of a Swanirvar Gram Sarkar.**—A person shall be qualified to be chosen as, and to be, a Gram Pradhan or a member, if—

- (a) he is a citizen of Bangladesh;
- (b) he has attained the age of twenty-five years;
- (c) his name appears on the electoral roll of the concerned village;
- (d) he is not a sitting Chairman/member of a Union Parishad; and
- (e) he permanently resides in the gram;

and if he does not fulfil these conditions, he shall be disqualified for being chosen as, or for being, a Gram Pradhan or a member of the Swanirvar Gram Sarkar.

**10. Resignation of members. etc.**—(1) A member of a Swanirvar Gram Sarkar may resign his office by notice in writing under his hand addressed to the Gram Pradhan.

(2) A Gram Pradhan may resign his office by notice in writing under his hand addressed to the Circle Officer.

(3) A resignation under this section shall become effective, and the office concerned shall become vacant, on the date on which the notice of resignation is received by the addressee.

**11. Removal of members etc. of Swanirvar Gram Sarkar.**—(1) A Gram Pradhan or member of a Swanirvar Gram Sarkar shall render himself liable to removal from his office, if—

- (a) he, without reasonable excuse, absents himself from three consecutive meetings of the Swanirvar Gram Sarkar;
- (b) he refuses to perform or becomes disabled from performing his functions; or
- (c) he is guilty of misconduct or is responsible for any loss or misappropriation or misapplication of money or property of the Swanirvar Gram Sarkar.

*Explanation.*—In this sub-rule “misconduct” means misuse of power, corruption, jobbery, favouritism, nepotism and wilful maladministration and includes any attempt at, or abetment of, such misconduct.

(2) A Gram Pradhan or a member shall not be removed from his office on any ground mentioned in sub-rule (1) unless a requisition in writing is presented by one-third of people comprising the Gram Shava to that effect to the Circle Officer who shall convene a meeting of the Gram Shava within a fortnight, with five days' notice stating the time, date and place of the meeting.

(3) A requisitioned meeting under sub-rule (2) shall be presided over by the Circle Officer or by an officer authorised by him who shall preside over and conduct the meeting in the manner specified in sub-rule (9) of rule 20.

(4) In a requisitioned meeting, the concerned Gram Pradhan or the member against whom removal has been proposed, shall be given a reasonable opportunity of being heard on the charges against him.

(5) After the hearing of the affected Gram Pradhan or member concerned, as the case may be, the Gram Shava shall be physically divided into two lobbies, one in favour of the resolution for the removal of the Gram Pradhan or the member, and the other opposed to it, and the Circle Officer or the authorised officers as the case may be, shall then count the votes and declare both orally and in writing the result of the counting.

(6) If the motion for the removal of a Gram Pradhan or a member is passed by the votes of not less than two-thirds of the total number of the persons present in the meeting, the Gram Pradhan or the members concerned shall stand removed.

(7) A person who is removed from the office of Gram Pradhan shall also stand removed from the office of member of the Swanirvar Gram Sarkar.

(8) Notwithstanding anything contained in any other provision, a person who has been removed from any office under this rule shall not, during the unexpired portion of the term of the Swanirvar Gram Sarkar concerned, be eligible for being a Gram Pradhan or member of the Swanirvar Gram Sarkar.

12. **Vacation of office of members etc.**—The office of a Gram Pradhan or a member shall become vacant, if—

- (a) he becomes disqualified for being such Gram Pradhan or member under rule 9;
- (b) he fails to take the oath under rule 8 within the prescribed period, except in a case where the Prescribed Authority for good cause shown extends the period;
- (c) he resigns his office under rule 10;
- (d) he is removed from his office under rule 11; or
- (e) he dies.

13. **Casual vacancy.**—Where the office of a Gram Pradhan or a member becomes vacant not later than one hundred and eighty days before the term of the Swanirvar Gram Sarkar is due to expire, the vacancy shall be filled up within sixty days of the occurrence of the vacancy in the manner laid down in rule 5 and the person so chosen shall hold office for the residue of such term.

14. Leave of absence.—A Swanirvar Gram Sarkar may grant leave of absence to its Gram Pradhan for any period not exceeding three months in any one year.

15. Notification of choice through concensus etc.—A choice through concensus, resignation or removal of, or vacation of office by, a Gram Pradhan or a member shall be notified by the Circle Officer in his office and also in the offices of the concerned Union Parishad and the Swanirvar Gram Sarkar.

16. Panel of Gram Pradhan.—(1) Within one month of the meeting held under rule 7 for assumption of office, a panel of two persons to act as Gram Pradhan during his temporary absence shall be chosen, in order of preference, by the members of the Swanirvar Gram Sarkar from amongst themselves.

(2) Where the office of the Gram Pradhan falls vacant under rule 12 or the Gram Pradhan is on leave or has been suspended under rule 32, the functions of his office shall be performed by the member whose name is the highest on the panel of the Gram Pradhan in order of preference.

17. Functions.—Subject to such directions as may be given by the Government, from time to time, the Swanirvar Gram Sarkar may perform and undertake, in general, such functions as it considers necessary for overall development of the village and, in particular, for—

- (a) Increasing of food production;
- (b) Mass literacy;
- (c) Population Control and Family Planning; and
- (d) Law and order; holding *salish* to settle local disputes.

*Note:* They may also promote Gram Samabaya and Samabaya Banks.

18. Executive powers.—(1) The executive powers of Swanirvar Gram Sarkar shall extend to the doing of all acts necessary for the due discharge of its functions under these rules.

(2) Save and otherwise provided in these rules or in any direction issued thereunder, the executive powers of a Swanirvar Gram Sarkar shall vest in and be exercised by its Gram Pradhan.

(3) All actions of a Swanirvar Gram Sarkar shall be expressed to be taken in the name of the Swanirvar Gram Sarkar.

19. Disposal of business.—(1) All business of a Swanirvar Gram Sarkar shall be disposed of at its meeting or at the meeting of its committees or in such manner as may be determined by the members.

(2) All meetings of a Swanirvar Gram Sarkar, other than a requisitioned meeting under sub-rule (2) of rule 11, shall be presided over by the Gram Pradhan or in his absence by the member whose name is the highest in the panel of the Gram Pradhan chosen in accordance with the provisions in rule 16.

(3) The minutes of the meetings of a Swanirvar Gram Sarkar shall be recorded in a book kept for the purpose.

(4) No act or proceeding of a Swanirvar Gram Sarkar shall be invalid merely on the ground of the existence of any vacancy in it, or any defect in its constitution or sitting or voting or taking part, in its proceedings by a person who was not entitled so to sit, vote or otherwise take part, in its proceedings, or any accidental omission to give notice to any member or non-receipt of the notice of the meeting where such notice is a legal requirement, by any member.

(5) The Swanirvar Gram Sarkar shall have an office of its own within the Gram as determined by the Swanirvar Gram Sarkar.

20. Meetings.—(1) The meetings of a Swanirvar Gram Sarkar shall be held at such places and times as may be determined by it from time to time:

Provided that at least one ordinary meeting of the Swanirvar Gram Sarkar shall be held every fortnight on a day to be fixed by the Gram Pradhan in consultation with the members.

(2) No separate formal notice of an ordinary meeting need be given individually to the members, but a copy of the notice of the meeting along with its agenda shall be hung on the notice board in the meeting place to be determined under sub-rule (1) at least three days before every such meeting.

(3) A special meeting of the Swanirvar Gram Sarkar may be called by the Gram Pradhan either on his own motion or on the requisition by not less than five members on at least three days' notice to the members, stating clearly the agenda of the business to be transacted.

(4) (a) In a meeting of the Swanirvar Gram Sarkar, whether ordinary or special, one-half of the total number of members shall form the quorum.

(b) If within half an hour after the time determined for a meeting of the Swanirvar Gram Sarkar, a quorum is not present the meeting may be adjourned to a future date and time to be determined by the Gram Pradhan. The business of the adjourned meeting may be conducted by the members present, whatever their number may be.

(5) The business of an ordinary meeting shall be conducted in the following order, namely:—

(a) the proceedings of the last ordinary meeting and of any special meeting held after that meeting shall be read out and, if approved as correctly recorded, shall be signed by the Gram Pradhan. If any error is pointed out, it shall be corrected;

(b) the rest of the agenda; and

(c) miscellaneous matters, if any, shall be considered.

(6) At a special meeting of the Swanirvar Gram Sarkar the business for which the meeting was called shall alone be considered and at an adjourned meeting of the Swanirvar Gram Sarkar no business save that which was left unfinished at the original meeting shall be considered.

(7) All questions at a meeting of a Swanirvar Gram Sarkar shall be decided by a majority of votes of the members present and voting, and in the case of equality of votes the Gram Pradhan shall have a second or casting vote.

(8) The Gram Pradhan shall maintain order in the meeting of a Swanirvar Gram Sarkar and shall conduct the proceedings in such a manner as may be conducive to expeditious and satisfactory disposal of the business; and shall decide points of order and his decision on such points of order shall be final.

(9) The Gram Pradhan may direct any member to withdraw from a meeting of the Swanirvar Gram Sarkar for disorderly conduct and the member so ordered, shall immediately withdraw, and unless otherwise directed by the Gram Pradhan shall remain absent during the remaining part of the meeting and shall not be entitled to vote without the permission of the Gram Pradhan.

21. **Committee.**—(1) A Swanirvar Gram Sarkar may appoint such number of Committees as it may consider necessary for the efficient performance of its functions under these rules.

(2) A Committee shall consist of not more than four members of the Swanirvar Gram Sarkar and no member shall be member of more than two Committees simultaneously.

(3) A member of a Committee shall hold office for one year but shall be eligible for re-appointment.

(4) A Swanirvar Gram Sarkar may associate with any Committee, for such period as it may think fit, any person who is not a member of the Committee but who possesses special qualifications for serving on the Committee:

Provided that a person so associated shall not have any right to vote at the meetings of the Committee but shall be deemed to be a member of the Committee for all purposes.

(5) A member of a Committee who fails to attend three consecutive meetings of the Committee shall cease to be a member of the Committee and the Swanirvar Gram Sarkar may fill the vacancy thus caused.

(6) Every Committee shall appoint one of its members to be its Convener:

Provided that no person shall at the same time be the Convener of more than one Committee.

(7) Every Committee shall, in the performance of its functions under these rules, be guided by such instructions as may, from time to time, be given to it by Swanirvar Gram Sarkar.

(8) The resolutions passed by a Committee shall be recorded in a book to be kept for this purpose, and shall be signed by the Convener of the Committee.

(9) The proceedings of Committee shall be subject to confirmation, with or without modification, by the Swanirvar Gram Sarkar.

22. **Meetings of a Committee.**—(1) A Committee may meet as and when it thinks proper.

(2) In a meeting of a Committee one-third of its total number of members but not less than two, shall constitute the quorum.



(3) The Convener shall preside over a meeting of the Committee and, in the absence of the Convener, the members of the Committee shall choose one of its members to preside over the meeting.

(4) Every question at a meeting of a Committee shall be determined by a majority of the votes of the members present and voting and, in the event of equality of votes, the Chairman of the meeting shall have a second or casting vote.

23. Meetings of the Gram Shavas.—A Gram Shava shall meet for the purpose of—

- (a) constitution of the Swanirvar Gram Sarkar in the manner specified in rule 5;
- (b) removal of the Gram Pradhan or members of a Swanirvar Gram Sarkar in the manner specified in rule 11;
- (c) filling up of the casual vacancy in the manner specified in rule 13; and
- (d) review of the progress of the activities of the Swanirvar Gram Sarkar once in every three months in meetings which shall be called by the Gram Pradhan stating the date, time and place of the meeting and the agenda to be discussed.

24. Fund.—(1) Every Swanirvar Gram Sarkar shall have a fund which shall be known as Swanirvar Gram Sarkar Fund.

(2) To the credit of the Swanirvar Gram Sarkar Fund shall be placed—

- (a) contributions from individuals, Gram Samabay Samiti or any institution or local authority;
- (b) any other income from any legitimate source.

(3) The moneys credited to a Swanirvar Gram Sarkar Fund shall be kept in a scheduled bank or Post Office.

25. Budget.—Every Swanirvar Gram Sarkar shall prepare and sanction before the commencement of each financial year a statement to be called the annual budget, showing its estimated receipts and expenditure for that year, and send a copy thereof to the Chairman of the Union Parishad and also to the Prescribed Authority for record.

26. Accounts.—Every Swanirvar Gram Sarkar shall maintain cash books, receipt books, cheque books and other connected documents in the manner in which they are maintained by the Union Parishads under Account and Audit Rules, 1960, with such modification, alteration and substitution as may be considered necessary.

27. Audit.—(1) The accounts of a Swanirvar Gram Sarkar shall be audited by such person as may be appointed, and in such manner as may be specified, by the Government in this behalf.

(2) A Swanirvar Gram Sarkar itself shall every year carry out internal audit of its accounts for the preceding financial year.

28. **Recovery against liabilities.**—Every Gram Pradhan, member and person charged with the administration of the affairs of a Swanirvar Gram Sarkar or acting on behalf of a Swanirvar Gram Sarkar, shall be liable for the loss, waste or misapplication of any money or property belonging to the Swanirvar Gram Sarkar which is a direct consequence of his negligence or misconduct; and the liability of such Gram Pradhan, member or person shall be determined by the Prescribed Authority, and the amount for which he is held liable shall be recoverable as a public demand.

29. **Supervision over Swanirvar Gram Sarkar.**—The Government shall exercise general supervision and control over a Swanirvar Gram Sarkar in order to ensure that its activities conform to the purposes of these rules.

30. **Inquiry into the affairs of Swanirvar Gram Sarkar.**—The Government may, either *suo motu* or on an application made to it by any person, cause an enquiry to be made, by such officer as may be authorised by it in this behalf, into the affairs of a Swanirvar Gram Sarkar generally, or into any particular matter concerning a Swanirvar Gram Sarkar and take such remedial measures as may be warranted by the findings of such enquiry.

31. **Supersession of Swanirvar Gram Sarkar.**—(1) If, after such enquiry as may be necessary, the Prescribed Authority is of opinion that a Swanirvar Gram Sarkar—

- (a) is unable to discharge or persistently fails in discharging its duties, or
- (b) is unable to administer its affairs or meet its financial obligations; or
- (c) generally acts in a manner contrary to public interest, or
- (d) otherwise exceeds or abuses its powers,

the Prescribed Authority may declare the Swanirvar Gram Sarkar to be superseded for such period, not exceeding the residue of the term of the Swanirvar Gram Sarkar, as may be specified.

(2) On the declaration under sub-rule (1),—

- (a) persons holding office as Gram Pradhan or members of the Swanirvar Gram Sarkar shall cease to hold the office;
- (b) all functions of the Swanirvar Gram Sarkar shall, during the period of supersession, be performed by such person or authority as the Government may appoint in this behalf; and
- (c) all funds and property belonging to the Swanirvar Gram Sarkar shall, during the period of supersession, vest in the Government through the Circle Officer.

(3) On the expiry of the period of supersession the Swanirvar Gram Sarkar shall be reconstituted in accordance with the provisions of these rules.

32. **Suspension of Gram Pradhan in certain circumstances.**—(1) Where any criminal proceeding under any law has been started against a Gram Pradhan and, in the opinion of the Prescribed Authority, the exercise by him of any power under these rules is either prejudicial or likely to be prejudicial to the interest of a Swanirvar Gram Sarkar or undesirable from the administrative point of view, the Prescribed Authority may, by order in writing, suspend the Gram Pradhan.

(2) When an order of suspension has been made under sub-rule (1), the Gram Pradhan shall, not later than three days from the date of communication of the order, make over charge of his office to the first member on the panel of Gram Pradhan who is entitled to perform the functions of the office of the Gram Pradhan and such member shall continue to perform such functions until the proceedings against the Gram Pradhan are terminated.

(3) When a Gram Pradhan has been suspended under sub-rule (1), the Prescribed Authority shall immediately communicate order of suspension to the Gram Pradhan thus suspended and also to the Chairman of the Union Parishad and the member on the panel, as provided in rule 16 for information and necessary action.

(4) If the Gram Pradhan thus suspended does not make over charge of his office within three days, the member on the panel shall assume the charge under sub-rule (2) of rule 16.

33. **Joint Committees.**—Any Swanirvar Gram Sarkar may join any other Swanirvar Gram Sarkar or local parishad or any other local authority or authorities, in appointing a Joint Committee for any purpose in which such Swanirvar Gram Sarkars or authorities may have common interest and may delegate to such Joint Committee any power which may be exercised by it, including the power to make regulations for the conduct of its business.

34. **Disputes between Swanirvar Gram Sarkars and local parishads.**—If any dispute arises between two or more Swanirvar Gram Sarkars or between Swanirvar Gram Sarkars and any local parishad the matter shall be referred—

- (a) to the Prescribed Authority, if the parties concerned are in the same thana;
  - (b) to the Subdivisional Officer, if the parties concerned are in the same subdivision;
  - (c) to the Deputy Commissioner, if the parties concerned are in the same district;
  - (d) to the Commissioner, if the parties concerned are in different districts within the same division; and
  - (e) to the Government, if the parties concerned are in different divisions;
- and the decision of the authority to which the dispute is so referred shall be final.

35. **Standing orders.**—The Government may, by standing order, from time to time,—

- (a) define and regulate the relations of the Swanirvar Gram Sarkars *inter se*, and with other local authorities and local parishads;
- (b) provide for co-ordinating the activities of Swanirvar Gram Sarkars and the Government authorities;
- (c) provide for giving financial assistance to Swanirvar Gram Sarkars, including the making of grants for specified purposes on specified terms and conditions; and
- (d) provide for the general guidance of Swanirvar Gram Sarkars in carrying out the purposes of these rules.

36. **Reference to local parishads.**—Where anything is required to be done or not to be done by any person or any local parishad or other local authority under the Ordinance or the Rules or By-laws thereunder or under any other law for the time being in force, the concerned Swanirvar Gram Sarkar may refer the matter to the local parishad or other local authority within the local limits of whose jurisdiction the matter lies; and upon the receipt of the reference, the local parishad or the local authority concerned, as the case may be, may take action under Chapter III of Part IV of the Ordinance or under any other law for the time being in force.

37. **Exercise of the powers by the Prescribed Authority.**—The Prescribed Authority shall exercise all the powers under these rules either *suo motu* or on the recommendation of the Circle Officer.

38. **Appeal.**—(1) An appeal against the order of the Prescribed Authority shall lie with the Zilla Parishad whose decision on the matter shall be final.

(2) An appeal under sub-rule (1) shall be filed within fifteen days from the date of the order to which the appeal relates.

By order of the President  
FAZLUL KARIM CHOWDHURY  
*Deputy Secretary.*