

Tripura Housing Board (Amendment) Act, 2007

7 of 2007

[25 April 2007]

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AN ACT To amend the Tripura Housing Board Act, 1978 Be it enacted by the Tripura Legislative Assembly in the fifty eighth year of the Republic of India as follows :-

1. Short Title, Extent And Commencement :-

(1) This Act may be called the Tripura Housing Board (Amendment) Act, 2007.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint-.

2. Amendment Of Section 1 :-

In the Tripura Rousing Board Act, 1978 (herein after referred to as

the Principal Act) in Sub-Section (1), of Section I for the words "The Tripura Housing Board" in the short title, the words "The Tripura Housing and Construction Board" shall be substituted.

3. Section 3 :-

In the Principal Act after sub section (3) of Section I the following sub-section shall be inserted, namely :

"(4) The assets and liabilities of the Housing Board shall stand vested and transferred to the Tripura Housing and Construction Board with effect from the date of notification made by the State Government for the purpose of this Act".

4. Amendment Of Section 2 :-

In the Principal Act.

(1) For Sub Section (1) of Section-2 the following shall be substituted. namely:

"(1) Board means the Tripura Housing & Construction Board constituted under section 3 under the administrative control of Public works Department (PWD), Government of Tripura";

(2) Sub-Section (3) of Section 2 shall be deleted.

(3) For Sub-Section (6) of Section 2 the following shall be substituted, namely; "(6) Chief Executive Officer (CEO) means the CEO appointed under section 12."

(4) For sub-section (7) of section 2, the following shall be substituted namely-"(7) housing scheme wherever it occurs in the Act, shall mean and be read as Housing and Construction works and Construction work means various types of construction works including building, road and bridges undertaken on behalf of Government Departments & any other organizations".

(5) For Sub-Section (11) of Section 2 the following shall be substituted, namely-"(11) municipality means Agartala Municipal Council & any Nagar Panchayets (including a notified area) constituted under the Tripura Municipal Act, 1994 as extended to whole of Tripura".

5. Amendment Of Section 3 :-

In the principal Act for Sub-Section (1) of section 3, the following shall be substituted, namely;

"(1) The state Government shall, by notification in the official Gazette, constitute for the purpose of this Act, a Board by the

name of the Tripura Housing and Construction Board (THCB)".

6. Amendment Of Section 5 :-

In the Principal Act, for Sub-Section (1) of Section 5 and the explanation thereof, the following shall be substituted, namely :

"(1) The Board shall consist of a Chairman who shall be the Minister in-charge of Public Works Department (PWD) of the State Government and the Vice Chairman to be appointed by the State Government and with such other officers and non-official members not less than seven and not exceeding ten. as may be appointed by the State Government. Out of the non-official members at least one shall be belonging to the Scheduled Castes and one belonging to the Scheduled Tribes. The Secretary, PWD, the Chief Engineer, PWD(R&B), the District Magistrate & Collector, West Tripura and the CEO, THCB will be the Ex-officio members of the Board.

Explanation:- In this Sub section, the words Scheduled Castes & Scheduled Tribes shall have the same meaning as assigned to them under clauses (24) & (25) of Article 366 of the Constitution of India".

7. Amendment Of Section 8 :-

In the Principal Act for Sub-Section (b) of Section 8 the following shall be substituted, namely :

"(b) is absent without the permission of the Board in three successive Meetings."

8. Amendment Of Section 12 :-

In the Principal Act for Sub-Section (1)& (2) of Section 12, the following shall be substituted, namely :

"(1) The Board shall have a CEO and such other Officers and employees as the Board may consider necessary for the efficient performance of its functions.

(2) The appointment of the CEO shall be made by the State Government and the appointment of other Officers and employees of the Board shall be made by the Board :

Provided that Board shall not appoint any official with the total emoluments exceeding Rs. 10,000/- per month without obtaining the previous sanction of the State Government."

9. Amendment Of Section 15 :-

In the Principal Act, for Sub-Section (a) and (d) of Section 15 the following shall be substituted, namely:

"(a) an ordinary meeting of the Board shall generally be held at least once in every three months.

(d) every meeting shall be presided over by the Chairman and in his absence by the Vice- Chairman and in the absence of the both by a member chosen by the Chairman."

10. Amendment Of Section 16 :-

In the Principal Act, for Sub-Section (1) of Section 16 and the provisos thereto, the following shall be substituted, namely :

"(1) Every contract made by the Board shall be entered into in such manner and in such form as may be prescribed and be signed by the CEO on behalf of the Board. Provided that -

(a) No contract involving an expenditure of rupees five crores or more shall be made without the previous sanction of the State Government.

(b) The Board shall have full power to approve contract for execution of works costing rupees five crore or less.

(c) In case of urgency, Chairman may approve any contract of rupees ten lakhs and below without previous sanction of the Board, but shall be referred to the Board at the earliest opportunity."

11. Amendment Of Section 19 :-

(i) for Sub-Section (1) of section 19 of the Principal Act. the following shall be substituted, namely:

"(1) Subject to the provisions of this Act the Board may, from time to time. incur expenditure and undertake works for the framing and execution of Housing Schemes and Construction works. Such Housing Schemes and Construction works may include own works of the Board and works to be entrusted by the Government Departments. Autonomous Bodies/Semi Autonomous Bodies and other organizations etc."

(ii) for Sub-Section (3) of Section 19 of the Principal Act, the following shall be substituted, namely:

"(3) The Board may, on such terms and conditions as may be agreed upon and with the previous approval of the State Government, take over execution of any construction works, on behalf of local authority for building houses, offices, markets, hospitals, roads, bridges and such other constructions."

12. Amendment Of Section 20 :-

In the Principal Act in section 20. after clause- (k) clause (l) shall be inserted, namely: "(1) successful implementation of the Construction works including all sub-heads as envisaged in the project proposal including any or all of the matters in clauses (a) to (k) above."

13. Amendment Of Section 21 :-

In the Principal Act, for clause (i) of sub-Section(2) of Section 21, the following shall be substituted, namely:

"(i) the housing schemes and other Construction works which the Board proposes to execute whether in part or in whole during the next year."

14. Amendment Of Section 32 :-

In the Principal Act, for sub-Section (1) of Section 32, the following shall be substituted, namely :

"(1) The Board shall have a fund to be called the Housing & Construction Board fund."

15. Amendment Of Section 45 :-

In the Principal Act, after Sub-Section (3) of Section 45 the following shall be inserted, namely :

"(4) The State Government may, by notification in the official Gazette, rescind or modify any rule made under this section and thereupon, the rule shall cease to have effect or be modified accordingly."