

THE ODISHA HOUSING BOARD (AMENDMENT) ACT, 2021

PREAMBLE:

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LAW DEPARTMENT

NOTIFICATION

The 8th October, 2021

No.10350—I-Legis-12/2021/L.— The following Act. of the Odisha Legislative Assembly having been assented to by the Governor on dated the 6th October, 2021 is hereby published for general information.

ODISHA ACT 20 OF 2021

THE ODISHA HOUSING BOARD (AMENDMENT) ACT, 2021

AN

ACT

FURTHER TO AMEND THE ODISHA HOUSING BOARD ACT, 1968.

BE it enacted by the Legislature of the State of Odisha in the Seventy-second Year of Republic of India as follows: —

Short title.

1. This Act may be called the Odisha Housing Board (Amendment) Act, 2021.

Amendment of
Section 2.

2. In the Odisha Housing Board Act, 1968 (hereinafter referred to as the principal Act), in Section 2, for clause (f), the following clause shall be substituted, namely: —

Odisha
Act. 11 of
1968.

“(f) “Competent Authority” means the Managing Director appointed under sub-section (3) of Section 10;”.

Amendment of
Section 3.

3. In the Principal Act., in Section 3, —

(a) in sub-section (2), for clause (a), the following clause shall be substituted, namely : —

“(a) the Managing Director, *ex officio* member;”;

(b) in sub-section (5), for the words “Any members” appearing in the opening line , the words “Any unofficial member” shall be substituted; and

(c) in sub-section (6), for the expression “ the land Acquisition Act, 1894” and “1 of 1894”, the expression “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” and “30 of 2013” shall respectively, be substituted.

Amendment of
Section 4.

4. In the principal Act, for Section 4, the following section shall be substituted, namely:-

“4. The State Government may, from time to time, grant leave of absence to the Chairman for any period as admissible under the rules and during such absence on leave, the Managing Director shall act as the Chairman until the State Government appoints any person to act as the Chairman during the period of said leave and while so acting, the Managing Director or the person so appointed, as the case may be, shall be deemed to be the Chairman for all purpose of this Act”.

Amendment
of Section 5.

5. In the principal Act, in Section 5, in the proviso to sub-section (1), for the words “Housing Commissioner”, the words “Managing Director” shall be substituted.

Amendment of
Section 10.

6. In the principal Act, in Section 10, —

(a) for sub-sections (1) and (2), the following sub-section shall be substituted, namely : —

“(1) The Board shall have a Managing Director, one or more Additional Director, Joint director, Deputy Director, Assistant Director, a Chief Accounts Officer and such other officers and employees as the Board may consider necessary for efficient performance of its functions.

(2) The State Government may appoint any person to be the Secretary of the Board and discharge such functions as may be assigned by the Board and the Managing Director.”;

- (b) in sub-section (3), for the words and the comma “Housing Commissioner, Assistant Housing Commissioner”, the words and commas “Managing Director, Additional Director, Joint Director, Deputy Director, Assistant Director” shall be substituted ; and
- (c) in sub-section (5), for the words and commas “Housing Commissioner, Assistant Housing Commissioner,”, the words and commas “Managing Director, Additional Director, Joint Director, Assistant Director,” shall be substituted.

Insertion of new
Section 10A.

7. In the principal Act, after Section 10, the following Section shall be inserted, namely: —

“Supervisory
power of
Managing
Director.”

10A. Subject to the provisions of the Act and the rules, the Managing Director shall have the power of supervision and control over the officers and employees of the Board.”.

Amendment
of Section 13

8. In the principal Act, in Section 13, in sub-section (2), —

- (i) for clause (a), the following clause shall be substituted, namely:-

“(a) the Chairman may, whenever he thinks fit, or on the written request made by the Managing Director, call for special meetings;” and

- (ii) for clause (c), the following clause shall be substituted, namely:—

“(c) every meeting shall be presided over by the Chairman and in his absence, by the Managing Director to preside for the occasion;”.

Amendment
of Section 15.

9. In the principal Act, in Section 15, —

- (a) in sub-section (1), for the word “Chairman” appearing in opening portion, the words “Managing Director” shall be substituted; and
- (b) in sub-section (3), for the words “the chairman”, the words “the Managing Director” shall be substituted.

Amendment of
Section 16.

10. In the principal Act, in Section 16, in sub-section (1), for the words “the Chairman or”, the words “the Chairman or the Managing Director or” shall be substituted.

Amendment of
Section 33.

11. In the principal Act, in Section 33, in sub-section (2), for the expression “the Land Acquisition Act, 1894” and “1 of 1894”, the expression “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” and “30 of 2013” shall, respectively, be substituted.

Amendment
of Section 50.

12. In the Principal Act, in Section 50, for sub-section (6), the following sub-section shall be substituted, namely: —

“(6) Such account shall be operated by the Managing Director or by such officer duly Authorised by the Managing Director.”.

Amendment
of Section 54.

13. In the Principal Act, in Section 54, for sub-section (4), the following sub-section shall be substituted, namely: —

“(4) Every debenture shall be signed by the Managing Director and counter signed by the Chairman or in his absence, any other member duly authorized by the Board.”.

Amendment
of Section 59.

14. In the principal Act, in Section 59, for the word “Chairman”, wherever it occurs, the word “Managing Director” shall be substituted.

Amendment
of Section 69.

15. In the Principal Act, in Section 69, for the words and comma “The Competent Authority and all members,”, the words and commas “The Chairman, the Managing Director, all other members, the Competent Authority,” shall be substituted.

Amendment
of Section 73.

16. In the principal Act, in Section 73, for the word “Chairman”, wherever it occurs, the words “Managing Director” shall be substituted.

By Order of the Governor
RADHA KRISHNA PATTANAIK
Principal Secretary to Government