



The Madhya Pradesh Housing Board (Amendment) Act, 1966

Act 1 of 1967

Keyword(s):

Housing Board, Revenue Officer

Amendment appended: 35 of 1973

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MAHARASHTRA ACT No. I OF 1967¹

[*The Madhya Pradesh Housing Board (Amendment) Act, 1966*]

[27th February 1967]

An Act further to amend the Madhya Pradesh Housing Board Act, 1950.

WHEREAS it is expedient further to amend the Madhya Pradesh Housing Board Act, 1950, for the purposes hereinafter appearing; It is hereby enacted, in the Seventeenth Year of the Republic of India as follows :—

M.P.
XLIII
of
1950.

1. (1) This Act may be called the Madhya Pradesh Housing Board (Amendment) Act, 1966. Short title and commencement.

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

M.P.
XLIII
of
1950.

2. After section 9 of the Madhya Pradesh Housing Board Act, 1950 (hereinafter referred to as the "principal Act"), the following section shall be inserted, namely :— Insertion of new-section 9A in M. P. XLIII of 1950.

"9A. (1) The State Government shall establish a provident fund for the Secretary, Housing Commissioner and other officers and servants of the Board and such provident fund (hereinafter called "the said fund") shall, notwithstanding anything contained in section 8 of the Provident Funds Act, 1925, be deemed to be a Government Provident Fund for the purposes of the said Act; and such fund may be administered by such officers of the State Government, or of the Board, as the State Government may specify in that behalf. Provident Fund.

XIX
of
1925.

(2) The Board shall, in respect of each of its employees who is a subscriber to the said fund, pay into the said fund such portion of the contribution in such manner as the State Government may, from time to time, determine."

3. In section 28 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :— Amendment of Section 28 of M. P. XLIII of 1950.

"(2) The Board shall cause its accounts to be audited annually by such person as the State Government may direct. The person so directed shall have the right to demand the production of books, accounts, and connected vouchers, documents and papers, and to inspect any of the offices of the Board."

4. In section 33 of the principal Act, in sub-section (2), after clause (a), the following clause shall be inserted, namely :— Amendment of section 33 of M. P. XLIII of 1950.

"(aa) the rates of subscriptions and contributions and other conditions of the provident fund established under section 9A ;"

¹ Statement of Objects and Reasons, see the *Maharashtra Government Gazette*, 1966, Part V, Extra., page 406.

MAHARASHTRA ACT No. XXXV OF 1973.¹

[THE BOMBAY HOUSING BOARD AND MADHYA PRADESH HOUSING BOARD
(AMENDMENT) ACT, 1973.]

[8th September 1973]

An Act further to amend the Bombay Housing Board Act, 1948, and the Madhya Pradesh Housing Board Act, 1950.

WHEREAS both Houses of the Legislature of the State were not in session;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action for further amending the Bombay Housing Board Act, 1948, and the Madhya Pradesh Housing Board Act, 1950 ; and therefore promulgated the Bombay Housing Board and Madhya Pradesh Housing Board (Amendment) Ordinance, 1973, on the 2nd day of July 1973 ;

Bom. LXIX of 1948.
M. P. XLIII of 1950.
Mah. Ord. X of 1973.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature with certain modifications hereinafter appearing ; It is hereby enacted in the Twenty-fourth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay Housing Board and Madhya Pradesh Housing Board (Amendment) Act, 1973. Short title and commencement.
(2) It shall be deemed to have come into force on the 2nd day of July 1973.

2-3. [The amendments made by sections 2 and 3 have been incorporated in the Bombay Housing Board Act, 1948.]

M.P. XLIII of 1950. 4. In section 31-B of the Madhya Pradesh Housing Board Act, 1950 (hereinafter referred to as "the Madhya Pradesh Housing Board Act")— Amendment of section 31-B of M. P. XLIII of 1950.

(a) in sub-section (1),—

(i) for the words "to the State Government:" the words "to an appellate officer appointed for the purpose:" shall be substituted ;

(ii) in the proviso,—

(a) for the words "the State Government may" the words "the appellate officer may" shall be substituted ;

(b) for the words "if it is" the words "if he is" shall be substituted ;

(b) in sub-section (2),—

(i) for the words "the State Government" at both places where they occur, the words "the appellate officer" shall be substituted ;

(ii) for the words "as it thinks" the words "as he thinks" shall be substituted ;

(c) in sub-section (3),—

(i) for the words, "the State Government" the words "the appellate officer" shall be substituted ;

(ii) for the words "as it thinks" the words "as he thinks" shall be substituted ;

¹ For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1973, Part V, p. 362.

(d) after sub-section (3), the following sub-sections shall be added, namely :—

“(4) For the purpose of this section, the State Government may, by notification in the *Official Gazette*, appoint one or more appellate officers for the whole of that part of the State in which this Act is in force, or for such area therein, as may be specified in the notification. An appellate officer shall be a person who is not below the rank of Deputy Secretary to Government and who had judicial experience or experience in the Legal Department of the State, or who has held judicial office not below the rank of District Judge.

(5) All appeals pending before the State Government immediately before the commencement of the Bombay Housing Board and Madhya Pradesh Housing Board (Amendment) Ordinance, 1973, shall be transferred by it to the appellate officer concerned and shall be heard and disposed of by him as if they had been originally filed before him. The appellate officer may proceed to hear and dispose of any such appeal from the stage it reached before its transfer to him, or may commence the inquiry *de novo* by himself.”

Amendment
of section
39-A of
M. P. XLIII
of 1950.

5. In section 39-A of the Madhya Pradesh Housing Board Act, after the words “the Revenue Officer” the words “or the appellate officer” shall be inserted.

Repeal of
Mah. Ord.
X of 1973
and saving.

6. (1) The Bombay Housing Board and Madhya Pradesh Housing Board (Amendment) Ordinance, 1973, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Bombay Housing Board Act, 1948, or the Madhya Pradesh Housing Board Act, 1950, as amended by the said Ordinance, shall be deemed to have been done or taken under the Bombay Housing Board Act or the Madhya Pradesh Housing Board Act, as the case may be, as amended by this Act.

Mah.
Ord.
X of
1973.

Mah.
Ord.
X of
1973.

Bom.
LXIX
of
1948.
M. P.
XLIII
of
1950.