

Bangladesh House Building Finance Corporation (Amendment) Act, 2021

(২০২১ সনের ২৫ নং আইন)

*** সংশোধনসমূহ মূল আইন (Bangladesh House Building Finance Corporation Order, 1973 (P.O. No. 7 of 1973)) এ অন্তর্ভুক্ত করা হয়েছে ***

Bangladesh House Building Finance Corporation Order, 1973 এর অধিকতর সংশোধনকল্পে প্রণীত আইন

যেহেতু নিম্নবর্ণিত উদ্দেশ্যসমূহ পূরণকল্পে, Bangladesh House Building Finance Corporation Order, 1973 (P.O. No 7 of 1973) এর অধিকতর সংশোধন করা সমীচীন ও প্রয়োজনীয়;

সেহেতু এতদ্বারা নিম্নরূপ আইন করা হইল :-

সংক্ষিপ্ত শিরোনাম ও প্রবর্তন

১। (১) এই আইন Bangladesh House Building Finance Corporation (Amendment) Act, 2021 নামে অভিহিত হইবে।

(২) ইহা অবিলম্বে কার্যকর হইবে।

O. No. 7 of 1973 এর প্রস্তাবনা (Preamble) এর সংশোধন

২। Bangladesh House Building Finance Corporation Order, 1973 ((P.O. No. 7 of 1973), অতঃপর উক্ত Order বলিয়া উল্লিখিত, এর প্রস্তাবনা (Preamble) এর প্রথম অনুচ্ছেদে উল্লিখিত “houses” শব্দটির পর “and purchasing of flats or apartments” শব্দগুলি সন্নিবেশিত হইবে।

O. No. 7 of 1973 এর Article 2 এর সংশোধন

৩। P. O. No. 7 of 1973 এর Article 2 এর সংশোধন।- উক্ত Order এর Article 2 এর clause-

(ক) (b) এর পর নিম্নরূপ নূতন clause (bb), যথা :-

“(bb) “Chairman” means the Chairman of the Board;” ; এবং

(খ) (c) এর পর নিম্নরূপ নূতন clause (cc), যথা :-

“(cc) “Director” means a Director of the Board;” সন্নিবেশিত হইবে।

**O. No. 7 of
1973 এ
নূতন Article
2A এর
সন্নিবেশ**

৪। উক্ত Order এর Article 2 এর পর নিম্নরূপ নূতন Article 2A সন্নিবেশিত হইবে, যথা :-

"2A. Notwithstanding anythin contained in any other law for the time being in force, the provisions of this Order shall prevail."।

**O. No. 7 of
1973 এর
Article 4 এর
প্রতিস্থাপন**

৫। উক্ত Order এর Article 4 এর পরিবর্তে নিম্নরূপ Article 4 প্রতিস্থাপিত হইবে, যথা :-

"4. (1) The authorized capital of the Corporation shall be taka one thousand crores to be subscribed by the Government from time to time :

Provided that the Government may, from time to time, by notification in the official gazette, increase the authorized capital of the Corporation.

(2) The paid-up capital of the Corporation shall be taka five hundred crores to be subscribed and increased by the government from time to time."।

**O. No. 7 of
1973 এ
নূতন Article
6A এর
সন্নিবেশ**

৬। উক্ত Order এর Article 6 এর পর নিম্নরূপ নূতন Article 6A, সন্নিবেশিত হইবে, যথা :-

"6A The Board may, as and when required, delegate any of its powers under this Order or the rules or regulations to the Managing Director or any Director or any officer of the Corporation."।

**O. No. 7 of
1973 এর
Article 7 এর
প্রতিস্থাপন**

৭। উক্ত Order এর Article 7 এর পরিবর্তে নিম্নরূপ Article 7 প্রতিস্থাপিত হইবে, যথা :-

"7. The Board of the Corporation shall consist of the following Directors, namely :-

a) the Chairman;

b) the Managing Director;

c) a representative, not below the rank of a Joint Secretary, to be nominated by the Finance Division of the Ministry of Finance;

- d) a representative, not below the rank of a Joint Secretary, to be nominated by the Financial Institutions Division of the Ministry of Finance;
- e) a representative, not below the rank of a Joint Secretary, to be nominated by the Ministry of Housing and Public works;
- f) an Additional Chief Engineer to be nominated by the Ministry of Housing and Public works; and
- g) a Professional Accountant to be appointed by the Government.” I

**O. No. 7 of
1973 এর
Article 8 এর
প্রতিস্থাপন**

৮। উক্ত Order এর Article 8 এর পরিবর্তে নিম্নরূপ Article 8 প্রতিস্থাপিত হইবে, যথা :-

“8. A Director shall hold office during the pleasure of the Government.”
I

**O. No. 7 of
1973 এর
Article 9 এর
প্রতিস্থাপন**

৯। উক্ত Order এর Article 9 এর পরিবর্তে নিম্নরূপ Article 9 প্রতিস্থাপিত হইবে, যথা :-

“9. (1) No person shall be or shall continue to be a Chairman or Director who

(a) is not a citizen of Bangladesh;

(b) is subject to a disqualification imposed by or under any law for the time being in force to hold any public office;

(c) is or has at any time been convicted of an offence involving moral turpitude;

(d) is or has at any time been adjudged insolvent;

(e) is found to be a lunatic or becomes of unsound mind; or

(f) is or has been absent from three consecutive meetings of the Board without leave of absence of the Government in the case of Chairman or of the Chairman in the case of a Director.

(2) The Government may remove the Chairman or any Director from the Board, if-

(a) he refuses, or fails to discharge, or becomes, in the opinion of the Government, incapable of discharging his responsibilities under this Order;

(b) the government is satisfied that he is abusing or has abused his powers; and

(c) he has knowingly acquired or continued to hold, without the permission in writing of the Government, directly or indirectly or through a partner any share or interest in any contract or employment with or by or on behalf of the corporation, or in any land or property which, in his knowledge, is likely to benefit him or has benefited him as a result of the operation of the Corporation.” I

**O. No. 7 of
1973 এর
Article 10
এর বিলোপ**

১০। উক্ত Order এর Article 10 বিলুপ্ত হইবে।

**O. No. 7 of
1973 এর
Article 10A
এর
প্রতিস্থাপন**

১১। উক্ত Order এর Article 10A এর পরিবর্তে নিম্নরূপ Article 10A প্রতিস্থাপিত হইবে, যথা :-

“10A. (1) The Chairman shall be appointed by the Government on such terms and conditions as may be determined by it.

(2) If a vacancy occurs in the office of the Chairman or if the Chairman is unable to discharge the functions of his office on account of absence, illness or any other causes, the Government shall appoint a person for discharging the functions of the Chairman until a newly appointed Chairman has taken over or until the Chairman has resumed his duties.” I

**O. No. 7 of
1973 এর
Article 11**

১২। উক্ত Order এর Article 11 এর পরিবর্তে নিম্নরূপ Article 11 প্রতিস্থাপিত হইবে, যথা :-

প্রতিস্থাপন

11. (1) The Government may appoint such number of Deputy Managing Director and of General Manager as per the organogram of the Corporation and the terms and conditions of their services shall be determined by it.

(2) The Corporation may appoint such number of officers and employees as it may consider necessary for the efficient performance of its functions, according to the organogram approved by the Government and the terms and conditions of their services shall be prescribed by regulations.” I

O. No. 7 of
1973 এর
Article 13
এর
প্রতিস্থাপন

১৩। উক্ত Order এর Article 13 এর পরিবর্তে নিম্নরূপ Article 13 প্রতিস্থাপিত হইবে, যথা :-

“13.(1) Subject to other provisions of this Article, the Board may determine the rules of procedures of its meeting.

(2) The meeting of the Board shall be held at such time and place, as may be determined by the Chairman :

Provided that at least one meeting of the Board shall be held in every 3 (three) months :

Provided further that emergency meeting of the Board may be convened with a short notice.

(3) The Chairman shall preside over the meeting of the Board and if for any reason, the office of the Chairman is vacant or he is unable to be present at a meeting, a Director, other than the Managing Director, nominated by the Directors present, shall preside over the meeting.

(4) At a meeting of the Board, each Director present shall have one vote and in the event of an equality of votes, the Chairman shall have a second or casting vote.

(5) No Director shall vote on any matter in which he is directly or indirectly interested.