

THE TRIPURA BILL NO. 5 OF 2024

**THE TRIPURA HOUSING BOARD
(SECOND AMENDMENT BILL, 2024)**

[AS INTRODUCED IN THE TRIPURA LEGISLATIVE ASSEMBLY]

**THE TRIPURA HOUSING BOARD (SECOND AMENDMENT)
BILL, 2024**

A

BILL

to further amend the Tripura Housing Board Act, 1978 (Act No. 2 of 1979)

BE it enacted by the Tripura Legislative Assembly in the Seventy-fifth year of the Republic of India, as follows:-

1. Short title and commencement:

- (i) This may be called "The Tripura Housing Board (Second Amendment) Act, 2024",
- (ii) It shall come into force on and from the date of its publication on the Tripura Gazette.

2. Amendment of Section 16:

- i. In the proviso (a) to sub-section (1) of section 16 of the Tripura Housing Board Act, 1978 (herein after referred to as the 'Principal Act'), the expression "five crore or more" shall be substituted with the expression "fifty crore or more",
- ii. In the proviso (b) to sub-section (1) of section 16 of the Principal Act, the expression "five crore or less" shall be substituted with the expression "less than fifty crore".

Statement of objects and Reasons

The Tripura Housing Board Act, 1978 (The Tripura Act No.2 of 1978) was enacted for the constitution of a Housing Board for Tripura, for executing various projects including building works of other departments, in an expeditious manner.

The proviso to sub-section (1) of section 16 of the Act, provides the limit of monetary power of the Board (THCB). The proviso to sub-section (1) of section 16 was amended by the Amending Act of 2007, to enhance the sum from 'rupees twenty five lakh or more' to 'rupees five crore or more,' in case of contract involving such expenditure, to be made only with the previous sanction of the State Government, under proviso (a). Proviso (b) was also amended, giving the Board full power for the contract involving expenditure to rupees five crore or less.

At present by following PWD SOR 2023, the estimated cost for maximum construction work as assigned by the different departments to THCB is more than Five crore, which is beyond the financial power of THCB.

The State Government feels it necessary to raise the power of the Board to approve contract for execution of works upto Rupees 50.0 crore (Rupees fifty crore) or more, in case of proviso (a) and less than Rupees 50.0 crore (Rupees fifty crore) in case of proviso (b). After the amendment, the reconstructed proviso will be as follows-

"(a) No contract involving an expenditure of rupees fifty crore 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 less than rupees fifty crore."

The Bill seeks to achieve the above objectives.

(Prof. Dr. Manik Saha)
Chief Minister, Tripura

TECHNICAL REPORT

The subject matter of the Bill is relatable to Entry 5 and 35 of the State List (List-II) of the Seventh Schedule to the Constitution of India and therefore the State Legislature is competent to make a law on this subject. The provisions of the Bill are not repugnant to any provision of any Central Act or the Constitution of India. This is not a Financial Bill, as it will not involve any additional expenditure from the Consolidated Fund of the State. Therefore, recommendation of the Hon'ble Governor for consideration of the Bill under clause (3) of Article 207 of the Constitution of India, is not required. The Bill does not attract proviso to clause (b) of Article 304 of the Constitution and therefore it shall not require previous sanction of the President for introduction or moving of the Bill in the state legislature.

(Secretary)

Law & Parliamentary Affairs Department

FINANCIAL MEMORANDUM

The Tripura Housing Board(Second Amendment) Bill, 2024 (The Tripura Bill No.5 of 2024), if enacted and brought into force, there will be no additional financial implication on the consolidated fund of the State.

(Kiran Gite)
Secretary, PWD
Government of Tripura

Printed by
The Manager, Tripura Government Press,
Agartala
