

LAKSHADWEEP BUILDING DEVELOPMENT BOARD REGULATION, 1997

—xvz_ / 97 REGISTERED No. DL-33004/97 Gze±t.e gf EXTRAORDINARY PART 1 PUBLISHED BY AUTHORITY 181 12, 1997 23, 1918 No. 181 NEW DELHI, WEDNESDAY, FEBRUARY 12, 1997 IMAGHA 23, 1918 fifi Separate paging is, given to (his Part in order •C:at it tñay bc li'cd HS n separate cornpilu(ion. MINISTRY OF LAW AND JUSTICE (Legislative Department) New Delhi, the 12th Pebruãry,• 1997/Magha 23, 1918 (Saka) THE LAKSHADWEEP BUILDING DEVELOPMENTIU BOARD REGULATION, 1997 No. 1 OF 1997 Promulgated by (he Plesident in the Fotty-eighth year of the Republic of India. A Regulation to provide for regulating the use of building rmaterials, including coral material, in building operations and for the establishment of a Board for promoting the supply and use of materials for the development of building operations ill the Union ten ;torj; of Lakshadweep for undertaking housing activities and for matters connecãed_thexewith or incidental thereto. In exercise owers confeiTed by is I. (J) 'I his Regulation Inay be cailed the adwecp .Building Development Board Regulation, 1997. (2) It extends to the whole of Lhe lelTiory Lakshadweep. 4 Short title. extent and commence- ment. 2 THE GAZETTE OF INDIA DINARY [PARR 11— Definitions. (3) It shell cornc into force on Mich •date the Administrator may, by notific4tion, nppoin! ond differenl (IntC\$ Inny be nppoiititl di 'shutds, nnd n ny re.rc.n:ncc in nny provision to (hc conuncnecgnent K cguhlthion- bc-- c0118trued In ion to noy Island ns a rference to the copz!ng_ into (orce of _that provision _ in that Island

2. In (his.Regulation, unless •the context re,qolrcS,— (a) "Administrator" means the- • adnnnigrtralor of the Union territory of Lakshadweep -appointed by the President undct; article 239 the C01ßti{ution; (b) *Board" means the Lakshadwcep Building Development Board established under sub-secction of section. 3; "building material" meats such eemiyyiddilics or artictes as may bc specified (c) by the. Adröinistratör by notification' Vi bc building molcriai for Etic purposes or (Ili* Rcgu(ion; (d) "building operation" includes buiidipg operations, structural alteratlons or, or ndditlons to, buildings und oilter unde,rüiken in conncclii)n with the construction or building; (e) "bye-lñws" Incons bye-laws rnndc hy the Boned under this RegulDti0'1', (J) "Chairperson" and "V lcspectivciy, (bc: Cluniypc.rson turd the. V.icc-Cbairperson or lhc Board nppp2.li(cdi siib-gccclion (3) sce(ioh 3; V) *coral lha terial" Incans lirncsuonc (enlelutn carbonate) fot'lnntiotl or Inari nc orgupism in the forn or rubble, stone, sint.gles, shel]s and in llic reefs and atoll* or oihbtwise found nlöng tropical shoces or in shallow wnnn seas; (h) UFäiid" means the fund colis.litüwd -iil'idcr scO[ion [8; (i) • 'housing schctnet' Incans a 5éhcmc frmncd undct• el;tusc (v) of section (J) "Island" nn Island (tclined in ciau.sc (d) of section 2- of the Lnkshad-wcep island Councils Regul.i., ion. 1988; l.neludes bencfité oil.se at Iniid and things •kittñched to cnt•lll (D "mer.'bcr" Incans a rñember of Bourd appoincd 'tñder sub.secti011 (3) of section 3 includes the illt: Vice irpc.rson; (m) ' 'notification'" Incans; a 110tiliCA2i"ñ iii the Lakshaclwcep Gazcltc; (u) "prescribed" means prescribed b mics made under ihis Regulation; (o) "Scerclñry" Incnns the Secretary_ the. BtL'it•d appoilifcd Ilh(lcr sab-section (1) (P) "Union territory" the cion •2grrit01)' or Lafeshüdwccep

1988. SEC.1) THE GAZETTE OF INDIA EXi'RA(IRDINARY CHAPTER THB LAKSHADWEEP BUILDINO DEVELOPMENT BOARD 3 21 or 1860. c; of (l) With clTect from such date us the Adinitristrator may, by notificntion, oppoint, in {his behajf, thcte Shull bc colk\$(ituted n BoUrd tg lhc I."kshudwcep Building Devcjopment Boa}d. (2) The Boatd shall bc a body corporate by the nathe Rfotcsnid, having pc,rptunl and a c0nunon sca[, with poWcr; Sulljcc{ tile provisions of lllis Regulnti0fi, to acquire, bold and dispose of propctty, both tñovable intrñovabfc, and to contrñct, and shah, by the said •name, suc 8hd bc suéd. (3) Ibe Board shall consist of the followipg to be appointed by the Administrator, natnely:— (a) a Chairperson; (b) a V icc-Chtlirpersott; (c) a representative or the Building Matcriajs and Technology Council, n society registered undqr Societies Registraic:• Ac:, 1860; (d) a gcotogi\$(; (e) lhcrc nrctñbers, onc cuch from G.xpe.!ts in tliC fciid of environlñctii, housing finonce rnd orchitcc(urc•, (J) silcb hiltñber of persons, excccding fiyc C) the c: OJjicio. 4. (1) -IIIC term •office of the Chairperson: V icc-Chaitpexson and other tñembers shall be three years from date o! apñointment. • (2) An outgoing member of the Board _shall tg eligible Tor rc-apñointmctll. (3) The other conditions Of servlec of llic thc and other tñe.rubcts shall bc such ns. may specified the. CPIitriil Oovernmen:. 5. No-petson- bc (a) is, any (ime has been, adjudged nn (11501vcnt•, or (b) is of unsound mind and has bcct) so den-'laretl by competent courl; or opinion of the Administrator. has tx:cn convicted of an QCfence which', in involves moral tarpitude; or

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TIIF. BOARD The runclions the. F' oatd shall tx.' (i) nequire tnildi.ng (ii) supply building (or building
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mate-tini and Inaking avail . price. building 'hc (c)' promoting bvilding opcraliatl in the Union terrilory;
(vii) perfor:n suelt which nrc considered or desirabl carrying the pure,o.sr.s this Regula'ion. C.I•IAVIER
FINANCE. ACCDUNL.s 16. pay to the Board loans suet' ' iii«spe.y as Inny ANI) in fin:tnciai yc.ar by way
or consider ! pci•rortnanec under (bis Regulation. nf this Regnl"tion. donations •a nd the or 7 TI•IE
GAZETTE INDIA. E.X 18. (l) There shall be conslilt'fcd a [nnd to be lled the lluu.sing Developjncnt
Fund and to which shall be crediled— (d) the grants or contributions tnndc, IIIC (h) the incotnc from
investmcnis; (c) any donation or loan ndv:urecd t" the Board for lhe ptl l)0.ses of this Re.g u ion; (d) all
Millis recelved by the Board streli ('(her source.\$ Inay. bc decided lilKjn by the (2) The Fund Shall bc
applied for rnccting=• . (a) IIIC salaries, altd\vanccs and other tc:nnncrzdion of Chairperson. Vicc- Cha
irpe.rson. 20. to such conditions as In." y fre +lk'.cit•ic.d hy (bc Adtilinlsll-nlor, where, Board is of
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is irrecoverable, •the Board with the approval of IIIC A(hnin istrnlor, the writing off or Provided that no
such approval the shall he ir.recoverable ajnoutnt or loan docs not excc.c.(l in any individual case 'ind
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u•.xpense.s of Boaid in Its h'neiioru; under ihi:: Regulntion. (3) All •noncys belongiog to the Fulld
tctf•.rrcd to in sub-section (I) shall bc Bank nf be, inv any, sceuritie:-; ns may b". at •proved by IIIC.
Constitution W riling off loans. Bt.'dgc(. 19. 'Vhe I shall h,qve tln: power 'o borrow ot' seenri(y of Fund or
Borrowing : l'or .cnryryillg- qut -the pru:scr.l . 22. (l) The Board slunll Innintajil pceper acyounts ntld oilter
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RDINARY Annual reports. Ann unl repot! auditor's repott lo be Powe,r mljnistrn- tlitor to SUI
•e.tse_de. Unnrdr. Adli)inislrator before such (laic. ns (3) The Board shnlt furnis:' accounts tog'tbcr with
the nuditor's report prcsetibed, its nndiled copy or ill each - a li'l in such 23. •Ilic Board Shall prepare. -
Inay bc prescribcd, its Jilinuot giving full account or its copy lbe.te,or to the rator. previous financial year
subtnii •-nu»i' the report and report IO In 24. Adtnnistrator nx be. tbt•y 25. (I) if at nny (inw the is of the
opinion ihaL the Board is ufi(hlc to pcr-fortn, or has persistently default pctroi•nuec or duties 01' it' by
or under this Regulation or exceeded or abused its powers, or has wilfully or without .sufflicient cause,
fniled i') -•ontply with any by trn(or iJlhle.r 27. lbe tuay, Iry lhc Bon rd rot' period, not exccding six bc.
.speificd in tile notifica tion: Provided that bct•ore issuilig notiticati"ll till(ic.r this tbc A•dtniltist SbaJl
give reasonable (itne to the Bonrd to show cause why ii should not be. superseditd and consider and
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nn•.tnbers a.q; the dntc or supersession. vaente ollice.s as such tnc:nljets; (b) all the. powers, functions ned
duties' whieil Inay. by ot utidcr the provi\$ion.s of- this Rcglttation, be exercised perrorned by • or on
behalf or the. Board. shall, untu the Board is rc-e011Sii'vf?'.d elnu.sc (b) o' • sub-sc,etion (3), be ex.crcised
and Ly person or l.c.'ß:.,• as Inay direct; (c) all praperty owned or by the Shatt, until (hc Board titt«cd-
under still-sctiott • v in' Adlliini.s(•, alot. (3) Olt the expiratic or the peliO(1 01 supersession in the.
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at a :any (b) the Bc ravel, in inanner rrovid.y.J ill section 3 it' such case, any person or pclS01ts wlto
vaca!..cd (heir Clatl.s•t (u) uf sob,\$C.ction (2) shall not disqnaliliccl Prov.idcc! tbat the Adl)linisjrator tt_t
[hue. the expiration of the iod of supersession, action under (h) this seclion. (4) shall . natifieafion is.'
under (l) and r ull rr•.port or tiny :telion (tilcet• (his the. eite.unlfitanve..s leading go nelion to be laid each
t ot' at carlie,,st. to GAZETTE OF C.HAPFFER MISCELLANEOUS 26. No suit, prosscution oc other
icgnl proceedings sludi -Ilc-ogninst the-Adtnini*trntor or Chairperson or the V icc-Chairperson or the
Secretury or any other metnber or olher officer employcc of the Board for anything which is good faith
done or bc' done under this RegulRtion or rules bycvlnws Innde thereunder. 27. nc Administrator may,
froin time to ti:nc, issue to the Board such ditectioos as hc !nay deem peccssnry foc the efficient
adliiiniistration of this Regulation and the Board carry out such directions. 2*. Subject to the ptovisions or

sub-section (2). of section 3, every contract or entered into by the Board be- in writing shall be signed by the Secretary or such other member or officer of the Board as may be generally or specially empowered in this behalf by the Board and shall be sealed with common seal of the Board. 7. (1) The Administrator may, by notification, make rules to carry out the purposes of this Regulation. (2) Without prejudice to the foregoing power, such rules may provide for any of the following matters, namely:— (a) the number of persons to be appointed members under sub-section (3) of section 3; (b) the powers and duties of the Chairperson and the Vice-Chairperson under section 6; (c) the powers which may be exercised and which may be by (the Secretary of the Board under sub-section (1) of 8, (d) the term of office and other conditions or service of the Secretary under sub-section (2) of section 8; (e) the extension of the term of office of a member; (f) the purpose, manner and building operation under section 11 (j) provided to be followed and the conditions to be observed in borrowing under section 19; (g) the amount of recoverable loan in any individual case and any year under section 20; (h) the form in which, and the time which, the Board shall prepare its budget and Protection of action (taken in good faith. Directions by Administrator. Contract to be in writing and sealed. Power to make rules. 10 THE EXTRAORDINARY PART II—SCC 11 (i) the form in which the Board shall prepare the annual statement or accounts Power to make bye-laws. Rules and bye-laws to be laid before the Board. Delegation. Power to remove difficulties. including the profit and loss account balance sheet under sub-section (1) of section 22; (j) the date by which (the Board shall furnish its audited copy of accounts together with the auditor's report under sub-section (3) of section 22; (k) the form in which and the time within which the Board shall prepare its annual report under section. 23; (l) any other matter which is to be, or may be, prescribed or in respect of which provision is to be, or may be, made by rules, 30. (1) The Board may, with the previous approval of the Administrator, by notification, make bye-laws, not inconsistent with the provisions of this Regulation and the rules made under section 29, to carry out the purpose of, this Regulation. (2) In particular, and without prejudice to the generality of the foregoing power, such bye-laws may provide for all or any of the following matters, namely:— (a) the terms and conditions of service of the officers and other employees of board under sub-section (2) of section 9; which meeting of the Board shall be held and (b) the times and places to be followed thereat and the number of members to be present at a meeting under (1) of section 10)

31. Every rule and every bye-law made under this Regulation shall be laid, as soon as may be after it is made, before each of Parliament, while it is in session, for a total period of thirty days which be anticipated in one session or in two or more successive sessions, and if, before the expiry of the sessions immediately following the session or the successive sessions in which both Houses agree in making any modification in the rule or bye-law or both Houses agree that the rule or bye-law should not be made, the rule or bye-law shall effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of previously done under that rule or bye-law

32. The Board may, by general or special order in writing, delegate to any member or officer of the Board or any other person, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Regulation (except, the powers under section 30) as it may deem necessary

33. If any difficulty arises in giving effect to the provisions of this Regulation, the Administrator may, by notification, remove the difficulty: Provided that no such notification shall be issued by the Administrator after the expiry of a period of three years from the commencement of this Regulation. SHANKER DAYAL SHARMA. President, K.L. MOHANPURIA, Secy. to the Government of India. PRK.SS (lit") MINEO ROAD TIME MANAGER BY, U.S. NEW 19081.