

The Chittagong Division Development Board Ordinance, 1976

(Ordinance NO. LXXXIX OF 1976)

An Ordinance to provide for the establishment of a Development Board for the Chittagong Division.

WHEREAS it is expedient to provide for the establishment of a Development Board for the Chittagong Division and for matters connected therewith or incidental thereto;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975, and 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

Short title and extent

1. (1) This Ordinance may be called the Chittagong Division Development Board Ordinance, 1976.

(2) It extends to the whole of Chittagong Division except the areas within the Chittagong Hill Tracts and the Chittagong Municipality.

Definitions

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) “Board” means the Chittagong Division Development Board established under section 3;

(b) “Chairman” means the Chairman of the Board;

(c) “Chittagong Division” does not include the areas within the Chittagong Hill Tracts and the Chittagong Municipality;

(d) “member” means a member of the Board;

(e) “prescribed” means prescribed by rules made under this Ordinance.

**Establishment
of the
Board**

3. (1) As soon as may be after the commencement of this Ordinance, the Government shall, by notification in the official Gazette, establish a Board to be called the Chittagong Division Development Board for carrying out the purposes of this Ordinance.

(2) The Board shall be a body corporate, having perpetual succession and a common seal, with power, subject to the provisions of this Ordinance and the rules made thereunder, to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

**Composition
of the
Board**

¹[4. (1) The Board shall consist of the following members, namely:-

(a) a Minister, to be nominated by the President, who shall also be its Chairman;

(b) two members of Parliament, to be nominated by the President, who shall also be its Vice-Chairman;

(c) one member of Parliament from each sub-division in the Chittagong Division, to be nominated by the President, by rotation, for a term of one year;

(d) the Commissioner, Chittagong Division, ex-officio, who shall also be its Secretary;

(e) the Deputy Commissioners of the districts in the Chittagong Division, ex-officio;

(f) such other members, not exceeding one-fifth of the total number of members of Parliament of Chittagong Division, as may be nominated by the Government.

(2) All members, other than the ex-officio members, shall hold office during the pleasure of the President.

(3) The Chairman shall be the chief executive of the Board.

(4) The Chairman and other members shall perform such functions as the Board may assign to them from time to time or as may be prescribed.

(5) No act or proceedings of the Board shall be invalid merely on the ground of the existence of a vacancy in, or any defect in the constitution of, the Board.]

**Head office,
etc.**

5. (1) The head office of the Board shall be located at the headquarters of the Chittagong Division.

(2) The Board may, with the prior approval of the Government, establish offices at any other place in the Chittagong Division.

**Meetings of
the Board**

6. (1) Save as hereinafter provided, the Board shall regulate the procedure for its meetings.

(2) Meetings of the Board shall be held on such date and 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 two months.

(3) To constitute a quorum at a meeting of the Board, not less than ²[ten] members shall be present.

(4) All questions at a meeting of the Board shall be decided by a majority of the members present and voting, and in the case of equality of votes, the person presiding shall have a second or casting vote.

(5) All meetings of the Board shall be presided over by the Chairman or, in his absence, by a member authorised in writing by the Chairman.

[Omitted]

7. [Consultative Committee.- Omitted by section 5 of the Development Boards Laws Amendment Act, 1980 (Act No. XIV of 1980).]

**Functions
of the
Board**

8. The functions of the Board shall be-

(a) to prepare projects and schemes for the development of Chittagong Division;

(b) to approve of projects and schemes involving not more than ³[twenty-five lakh] Taka each and to submit other projects and schemes to the Government for approval;

(c) to execute approved projects and schemes;

(d) to supervise execution of approved projects and schemes;

(e) to advance funds, on such terms and conditions as it may determine, for the execution of development schemes sponsored by various development agencies;

(f) to grant loans, on such terms and conditions as may be prescribed, to any person for setting up or development of any small-scale or cottage industry or project;

(g) to do such other acts and things as may be necessary or convenient to be done in connection with, or incidental or conducive to, the performance of the aforesaid functions.

Execution of projects and schemes through other agencies

9. Notwithstanding anything contained in any other law for the time being in force or in section 8, the Board may require any local authority or Government agency within whose jurisdiction any area covered by any project or scheme approved under section 8 lies to execute the project or scheme, or any portion thereof, in consultation with the Board, and the expenditure incurred on the execution of any such project or scheme or portion thereof shall be borne as may be agreed to between the Board and the local authority or Government agency or, in the event of disagreement, as may be determined by the Government.

Appointment of officers, etc.

10. The Board may appoint such officers and other employees as it considers necessary for the performance of its functions on such terms and conditions as it may deem fit:

Provided that no post shall be created by the Board without the prior approval of the Government.

Board Fund

11. (1) There shall be formed a Fund to be known as the Chittagong Division Development Board Fund which shall vest in the Board and shall be utilised by the Board to meet charges in connection with its functions