

THE CONSTITUTION OF DOHS PORISHOD



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**THE CONSTITUTION
OF
DOHS PORISHOD**

THE CONSTITUTION OF DOHS PORISHOD

CONSTITUTION OF THE DOHS PORISHOD

BISMILLAH-AR-RAHMAN-AR-RAHIM

(In the name of Allah, the Beneficent, the Merciful)

PREAMBLE

WHEREAS the lessees of the plots of the Defence Officers' Housing Scheme (DOHS) aspire to propagate a congenial and safe community living and collective welfare for themselves and their successors and all other residents of the DOHS and to promote socio-cultural, recreational, environmental and religious pursuits, and as per sub-section (6) of section 213 of the Cantonment Ain, 2018 (Act No XXVII of 2018) as the plot and flat owners of the DOHS may form Porishod for the management of the Scheme, therefore, pledge to form **"Porishod"** for the fulfillment of the under mentioned aims and objectives within the meaning of a civilized society recognizing their affiliation to the Armed Forces of the country.

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CHAPTER 1

NAME, OFFICE AND CATEGORY OF PORISHOD

1. **Name.-** All the DOHS shall have separate DOHS Porishod, hereinafter known as "Porishod", and the official name of the Porishod shall be named after the location where the particular DOHS is located.
2. **Office.-** (1) To facilitate the functions of the Porishod, a full time office shall be established and manned by paid employees who shall be appointed by the Porishod as per the by-laws formulated by it.
(2) The office of the Porishod shall be established within the premises of the respective DOHS area or as may be decided by the Porishod.
(3) The office organogram, recruitment, salaries, duties, daily office hours, holidays and various administrative matters of the office employees shall be fixed by the Porishod.
3. **Categories of Porishod.-** The DOHS Porishod shall be categorized as below:
 - (a) Category A Porishod: DOHS having plots exceeding 500;
 - (b) Category B Porishod: DOHS having plots exceeding 100 and up to 500; ✓
 - (c) Category C Porishod: DOHS having plots up to 100.

CHAPTER 2

AIM AND OBJECTIVES OF PORISHOD

4. **Aim.-** The Porishod shall be established for the fulfillment of the objectives set forth in the preamble, Article 5 of this Constitution and within the general administrative prescript of the DOHS Central Committee.
5. **Objectives.-** The objectives of the Porishod shall be:
 - (a) to run the Porishod administration through consensus and not in an authoritative manner;
 - (b) to ensure accountability and transparency by participation of maximum members of the Porishod;
 - (c) to organize social and cultural activities, and thereby increasing social interactions among members and other dwellers;
 - (d) to provide a forum for recreational facilities for the residents of the DOHS and the members of their family;
 - (f) to look after the environmental development of the DOHS area and consider all the matters incidental thereto with the appropriate authorities/agencies;
 - (g) to ensure resolution of conflicts, disputes and differences among the residents, even when the residents get involved in such matters with others and the Porishod feels that the matter should be handled by them;
 - (h) to foster goodwill, maintain friendly relations and develop a corporate life among the members of the Porishod;

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- (i) to ensure welfare of all the members and maintain a congenial social environment in the DOHS;
- (j) to ensure proper security within the DOHS;
- (k) to ensure sound health, hygiene and sanitation condition in the DOHS area;
- (l) to regulate the activities of the DOHS Community Centre and other amenities/facilities, as per the instructions issued time to time by the DOHS Central Committee.

CHAPTER 3

MEMBERSHIP OF PORISHOD AND RIGHTS AND OBLIGATIONS OF MEMBERS

6. **Categories of Member.-** Every Porishod may have following categories of members:
- (a) Regular Member;
 - (b) Honorary Member;
 - (c) Associate Member;
 - (d) Foster Member.
7. **Membership.-** Subject to the provisions of this Constitution the membership of the Porishod shall be vested in a person in the following manners:
- (1) **Regular Membership:**
- (a) The following people shall be deemed to be Regular Members of the Porishod:
 - (i) Original lessees of the plots;
 - (ii) An owner of the plot/flat in the DOHS through gift, inheritance, purchase or in any other manner authorized by law;
 - (b) Original lessees shall be granted Regular Membership once the plot is allotted in his/her name;
 - (c) Persons mentioned in sub-clause (a) sub-sub-clause (ii) above shall be granted the Regular Membership after the registration of the plot/flat in his/her name; provided the individual applies in the manner prescribed by the Porishod;
 - (d) In the case of co-ownership of any undivided and un-demarcated flat/flats, a co-owner nominated by other co-owner/s in this respect shall be granted the Regular Membership. Otherwise, the Regular Membership shall be granted to the co-owner whose name appears first in the list (purchase deeds or other documents) proving ownership;
 - (e) If any person owns more than one plot/flat in one or more DOHS then he/she shall be allowed to hold Regular Membership in every such Porishod against any one plot/flat only.
- (2) **Honorary Membership:**
- (a) When the Regular Membership of an original lessee is relinquished by transfer of his/her whole ownership in the plot to his/her spouse or children, then the individual (original lessee) may be granted Honorary Membership of the Porishod, provided that he/she continues to reside in that DOHS and also applies in the manner prescribed by the Porishod;

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- (b) A person, who purchases any plot/flat in any DOHS, but yet to be granted a Regular Membership of the Porishod, may be granted Honorary Membership provided that he/she resides inside that DOHS and also applies in the manner prescribed by the Porishod.
- (3) **Associate Membership.-** A tenant in the DOHS, in whose name the flat is hired may be granted Associate Membership of the Porishod provided that he/she resides inside that DOHS and also applies in the manner prescribed by the Porishod.
- (4) **Foster Membership.-** Spouses, children and dependents of regular, honorary and Associate Members residing inside the DOHS may be granted Foster Membership of the Porishod provided that the individual applies in the manner prescribed by the Porishod.
8. **Rights of Members.-** Subject to the provisions of this Constitution, a member of the Porishod shall enjoy the following rights:
- (a) **Regular Member.-** A Regular Member shall be entitled to enjoy all the common facilities available in the same DOHS. Subject to the provisions laid down in articles 29, 30 and 31, a Regular Member shall have the right to cast his/her vote and be a candidate in the election of the EC.
- (b) **Honorary Member.-** An Honorary Member shall enjoy all the common facilities available in the DOHS except casting any vote or be a candidate in the election of the EC. However, an Honorary Member may become a member of any sub-committee under the EC if co-opted by the EC.
- (c) **Associate Member.-** An Associate Member shall enjoy all the common facilities available in the DOHS except casting any vote or be a candidate in the election of the EC.
- (d) **Foster Member.-** A Foster Member shall enjoy all the common facilities available in the DOHS except casting any vote or be a candidate in the election of the EC.
- ✓ 9. **Obligations of Members.-** (1) All the members shall abide by the provisions of this Constitution and the norms and bye-laws of the Porishod with due diligence.
- ✓ (2) The Regular Members shall duly pay the taxes and dues of the Cantonment Board and the Porishod as may be fixed by the respective authorities. Other members shall pay the required subscriptions regularly as may be fixed by the Porishod with the approval of General Body.
- ✓ (3) It shall be the responsibility of every member to assist the Porishod to work smoothly in discharging of its functions and duties.
- ✓ (4) A decision of the Porishod, once approved by General Body, shall be binding upon all the members.
10. **Relinquishment of membership.-** (1) **Regular Member:** The membership of a Regular Member shall be deemed to have relinquished if he/she transfers the ownership of his/her plot/flat wholly or all the flats on the plot by gift, sale or in any other manner authorized by law.
- (2) **Honorary Member.**
- (a) The membership of an Honorary Member (original lessee) mentioned in article 7 clause (2) sub-clause (a) shall be deemed to have relinquished the membership if his/her spouse/children transfer the ownership of the respective plot wholly or all the flats on the plot to any other person by gift, sale or in any other manner authorized by law;
- (b) The membership of an Honorary Member mentioned in article 7 clause (2) sub-clause (b) shall be deemed to have relinquished if he/she, becomes a Regular Member according to the provision

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of this Constitution, or transfers his/her ownership of the plot/flat wholly to any other person by gift, sale or in any other manner authorized by law.

(3) **Associate Member.**- The membership of an Associate Member shall be deemed to have relinquished once the individual ceases to be a tenant of the DOHS.

(4) **Foster Member.** The membership of a Foster Member shall be deemed to have relinquished once the Regular, Honorary or Associate Member, through whom he/she is entitled to be a Foster Member, has ceased to be such a member, or ceased to be a resident of the respective DOHS.

✓ 11. **Cancellation of Membership:** (1) The Chairman, DOHS Central Committee may, with or without assigning any reason in this regard, cancel the membership of any Regular Member except the Regular Membership of:

- (a) an original lessee; and
- (b) spouse and children of original lessee.

(2) The EC of the Porishod, may cancel the membership of any Honorary, Associate or Foster Member if such member fails to observe the obligations mentioned in article 9 above or fails to comply with the norms of the membership as may be formulated by the Porishod.

(3) Once the membership of a member of any category is cancelled, then his/her membership shall not be restored without the approval of the authority who cancels it.

CHAPTER 4

SUPERVISION OF DOHS PORISHOD

12. **DOHS Central Committee.**- (1) The DOHS Central Committee (DCC) formed by the Government through the Gazette Notification of the Ministry of Defence shall act as the supervisory authority of all the DOHS Porishod.

(2) The composition, power and terms of references of this Committee shall be regulated by the instructions contained in the Gazette Notification of the Ministry of the Defence. The Gazette Notification containing the composition, powers and the terms of references of the Committee is attached to this Constitution as Annexure 'A'.

✓ (3) On any matter of the Porishod, the decision of the Chairman, DOHS Central Committee or the Committee itself shall be final and binding upon all the members, residents and the Porishod.

13. **DOHS Advisory Committee.**- (1) There shall be an advisory committee to be known as the DOHS Advisory Committee (DAC) to make decisions and provide directions on routine or such other matters as may be empowered by the DOHS Central Committee from time to time.

(2) The composition, power and the terms of references of DAC shall be guided by the instructions of the DOHS Central Committee circulated in this regard. The Gazette Notification the composition and the terms of references of this Committee is attached to this Constitution as Annexure 'B'.

(3) The DOHS Central Committee reserves the authority to delegate its power, on any matter exercisable under this Constitution to the DAC and when so delegated the DAC shall have the power to act on behalf of the DOHS Central Committee. The action, under the above circumstances, shall be regarded as the action of the DOHS Central Committee and no person or authority shall have the right to raise any question in this regard.

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- (4) Whenever necessary, the EC of the Porishod shall contact with the DAC in respect of any matter of the Porishod.
- (5) On any matter of the Porishod, the decision of the DAC, when duly delegated by the DOHS Central Committee, shall be binding upon all the members, residents and the Porishod of the respective DOHS.

14. Sub-Committees of DOHS Central Committee.- (1) To make the activities of the DOHS Central Committee more dynamic and decentralized the Government, through the Notification of the Ministry of Defence, may form other sub-committees under the DOHS Central Committee including the following sub-committees:

- (a) Petition sub-committee;
- (b) Development sub-committee;
- (c) Planning sub-committee;
- (d) Vigilance sub-committee;
- (e) Security sub-committee;
- (f) Arbitration sub-committee; and
- (g) Legal sub-committee.

(2) The compositions and the terms of references of these sub-committees shall be regulated by the instructions contained in the Notification of the Ministry of the Defence. The compositions and the terms of references of such sub-committees is attached to this Constitution as Annexure 'C'.

CHAPTER 5

MANAGEMENT OF PORISHOD

15. Autonomy and Self-accountancy of Porishod. (1) The Porishod shall be an autonomous body and self-accounting organization.

(2) For proper and smooth administration the Porishod shall be formed by following organs:

- (a) General Body (GB);
- (b) Executive Committee (EC); and
- (c) Sub-committees.

16. General Body. (1) All the DOHS Porishod shall have a General Body which shall be formed by all the Regular Members of the Porishod.

(2) It shall be the primary policy making body of the Porishod in conformity with this Constitution, the relevant Acts and Rules of the Cantonment and of the country.

17. Executive Committee (EC).- (1) There shall be an elected body, hereinafter known as the Executive Committee, to run the day to day administration, functions and other activities of the Porishod.

(2) This Committee shall work as the main executive organ of the Porishod remaining within the advisory authority of the General Body.

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(3) This Committee shall be responsible for all the decisions and actions taken by it during its tenure and be answerable to the General Body. However, it shall not be required to give reasons for its decisions and actions to any individual member of the Porishod.

(4) This Committee shall perform its duties and functions under the framework of this Constitution and the general administrative supervision of the DOHS Central Committee and the DOHS Advisory Committee.

(5) This Committee may be assisted by other sub-committees or special committees, if needed, constituted by the Executive Committee itself.

18. Composition of Executive Committee.- (1) The Executive Committee shall be composed of:

- | | | | |
|-----|-----------------------|---|------------------------|
| (a) | President | - | 01 (one) |
| (b) | Senior Vice-President | - | 01 (one) |
| (c) | Vice-President | - | 01 (one) |
| (d) | Secretary | - | 01 (one) |
| (e) | Joint Secretary | - | 01 (one) |
| (f) | Treasurer | - | 01 (one) |
| (g) | Joint Treasurer | - | 01 (one) |
| (h) | Member Security | - | 01 (one) |
| (i) | Member Administration | - | 01 (one) |
| (j) | Member Medical | - | 01 (one) |
| (k) | General Members | - | [See clause (2) below] |

(2) The Executive Committee of category 'A' 'B' and 'C' Porishod shall have 8, 6 and 4 General Members respectively. However, subject to the prior approval of the DOHS Central Committee 2 (two) posts of General Member (open for all Regular Members) may be increased by General Body.

(3) The post of Joint Treasurer shall exist in a category A Porishod only.

(4) The post of Member Medical shall be reserved for retired AMC officers only.

19. Conditions and reservations in respect of posts in Executive Committee.- (1) All office bearers and the general members of EC shall be elected from the Regular Members of the Porishod.

(2) The posts of President, Senior Vice President, Secretary, Treasurer, Member Security and Member Administration shall be reserved for the retired officers of defence services only.

(3) If a retired officer of defence services is NOT available for any of the posts mentioned in clause (2) above then the DOHS Central Committee may appoint a serving officer of any defence service to hold the post. In such circumstances the President shall be an officer of the rank of Brigadier General or equivalent.

20. Tenure of Executive Committee.- The office bearers and the General Members of the EC shall be elected for a term of 3 (three) years commencing from 1 March of the election year unless dissolves earlier.

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21. **Dissolution of Executive Committee.-** The Executive Committee may be dissolved;
- (a) when the entire Committee resigns; or
 - (b) upon adoption of a proposal for dissolution of the EC in an Extra-Ordinary General Meeting by a minimum $\frac{3}{4}$ (three-fourth) majority where at least 50% of the Regular Members of the DOHS are attending and the resolution is duly approved by the Chairman, DOHS Central Committee; or
 - (c) by an order of the Chairman, DOHS Central Committee on the ground of exigency (with or without assigning any reason).
22. **Interim Provisions in the case of Dissolution of Executive Committee.-** (1) If an elected EC is dissolved before the tenure as mentioned in article 21 then an ad hoc EC may be formed by the Chairman, DOHS Central Committee and the EC so formed shall continue to function up to next EC election or as may be decided by the Chairman, DOHS Central Committee.
- (2) The office bearers and the general members of such ad hoc committee may be selected from the serving officers of defence services and Regular Members of the respective Porishod as may deem proper.
23. **Power and Functions of Executive Committee.-** (1) The executive and administrative powers, control and functions of the Porishod shall be vested in the EC.
- (2) The power and functions of the committee shall be as follows:
- a. To conduct all the activities of the Committee in accordance with the aims and objectives and within the purview of this Constitution;
 - b. To meet at least once in each month or as frequently as required to transact the business of the committee on the date and time fixed by the President/Secretary;
 - c. To approve sources of income of the Porishod and day to day expenditures;
 - d. To prepare annual statement of income and expenditure and put it up annually to the General Body;
 - e. To present annual report of activities of the Porishod along with a forecast budget of income and expenditure to the General Body for approval;
 - f. To maintain paper books of account and prepare the audited balance sheet and the annual report for adoption in the Annual General Meeting;
 - g. To settle the disputes/differences amongst plot owners, developers, flat owners, tenants etc. on the principles of Alternative Dispute Resolution (ADR);
 - h. To organize social, cultural, sports, entertainment and religious events;
 - i. To appoint and remove any employee from the service of the Porishod through a selection committee as nominated by the EC and determine their salary etc.;
 - j. To suspend the membership of the Porishod for a reasonable time if any member fails to pay the subscription of the Porishod and the taxes of the Cantonment Board for three months and one year respectively;
 - k. To arrange payment of bills etc, related to the establishments under the Porishod to PDB/WASA/Electric Supply Authority etc., and other agencies;

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- l. To look after the matters of welfare of the Members of the Porishod including handling the matter with Cantonment authorities and other agencies;
 - m. To implement the decisions of the Porishod taken in the General Meeting;
 - n. To look after the law and order situation within the DOHS area;
 - o. To take appropriate measures for safety and security of persons and property of the DOHS;
 - p. To draw security plan for the DOHS area and revise it from time to time if necessary and implement the scheme;
 - q. To take appropriate measures to maintain traffic discipline within the DOHS area;
 - r. To co-ordinate the activities of sub-committees;
 - s. To take responsibility of office functions;
 - t. To maintain necessary records in the office viz: (i) names of the lessees/transferees of plot, (ii) names of the tenants and their contact numbers as far as possible, (iii) list of vehicles of all residents of the DOHS;
 - u. To look after the discipline of all types of employees of the Porishod;
 - v. To put into effect the service law and the by-laws from time to time for the management, administration, election and for such other purposes as may be conducive;
 - ✓ w. To take prior permission/clearance from the DOHS Central Committee in the case of development work that may affect the master plan or approved layout of the concerned DOHS;
 - x. To collect dues and subscriptions from the Members as may be approved by the General Body;
 - y. To arrange collection of monthly subscriptions from the lessees/transferees of plot and tenants of the DOHS as approved by the General Body for the payment of salaries of security guards, office staff and meeting other expenditures;
 - z. To suspend or cancel the Associate or Foster Membership in the case of violation of any norms or bye laws;
 - aa. To supervise the constructions of the buildings, structures, perimeter walls etc., within the respective DOHS and report the violation, if any, to the DOHS Central Committee or Cantonment Board;
 - bb. To assist the Station Commander and the Cantonment Board in application of the provision of the Cantonment Ain, 2018 and other relevant Acts, Rules and by-laws applicable for the Cantonment.
24. **Sub-Committees.-** (1) To ensure the maximum participation of the Regular, Honorary, Associate and Foster Members in the DOHS activities and also to ensure the transparency and accountability, the use of sub-committees constituted by the elected and non-elected members should be a common practice. The EC may, therefore, constitute any number of sub-committees as required from time to time.
- (2) The sub-committees may be as follows:
- (a) Alternative Dispute Resolution (ADR) sub-committee;
 - (b) Mosque sub-committee;
 - (c) Sports and Cultural sub-committee;

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- (d) Environment and Climatic Parity sub-committee;
 - (e) Purchase sub-committee;
 - (f) Project sub-committee; or
 - (g) Any other sub-committee for any special purpose.
- (3) The head of the sub-committees shall be addressed as 'Convener'.
- (4) In addition to the Convener each sub-committee shall have one member secretary and other 3 or 5 members. Members and member secretary of the sub-committees may be co-opted from the non-elected Regular and Honorary Members.
- (5) For each sub-committee one elected member of EC shall be included in any capacity. ✓
- (6) The terms of references of the sub-committees shall be formulated by the EC.
- 25. Service of Members of the Committees to be Honorary.-** (1) The services of all the Members of Executive Committee and Sub-Committees shall be honorary. ✓
- (2) However, a courtesy-cost may be provided once in a month to the attending EC members for EC monthly meeting. The amount of such courtesy-cost shall be decided each year by the General Body basing on the fund position of the concerned Porishod.

26. Vacancy in a Position of Office Bearer and General Member of EC.-

(1) Resignation from a Position.-

- (a) If an office bearer or a General Member of the EC wishes to resign from his/her position he/she shall submit before the President of the EC in writing in this regard and if the resignation is accepted by the EC then that post shall be considered vacant from the day of such acceptance.
- (b) The President of the EC may resign from his/her office by writing under his/her hand to the DOHS Central Committee. The post of the President shall be considered vacant once the resignation is accepted by the DOHS Central Committee.
- (c) The Chairman of the DOHS Central Committee may ask any office bearer or a General Member of EC to resign his/her portfolio/membership, with or without assigning any reason.
- (d) All such resignations shall be brought to the notice of the General Body through the AGM/EGM for records.

(2) Other Causes.-

- (a) If any office bearer or General Member of the EC fails to attend monthly regular EC meeting for 4 (four) consecutive months without duly notifying (in writing) the reason(s) of absence to the President/Secretary of the EC, then his/her position in the EC shall automatically be deemed to be vacant as if he/she has resigned.
- (b) If, after the election, any of the reasons, for which a particular member does not qualify to be a candidate in the election, occurs in the case of any person so elected, then his/her position in the EC shall automatically be deemed to be vacant as if he/she has resigned.
- (c) If any office bearer or General Member of the EC, for any reason whatsoever, ceases to be a Regular Member of the Porishod, then his/her position in the EC shall automatically be deemed to be vacant as if he/she has resigned.

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- (d) If any office bearer or General Member of the EC dies then his/her position in the EC shall be vacant.
- (3) **Validity of Decisions in spite of Vacancy.-** No decision of the EC shall be invalid on account of vacancy in a position of office bearer or General Member of the EC.
- 27. Filling in Vacancies.-** (1) While a vacancy occurs in the office of the President of the EC and the time of the next election is more than a gap of one year, an election to the post of the President may be arranged immediately by the Area Commander with the approval of the Chairman, DOHS Central Committee. The newly elected President shall serve up to the next EC election.
- (2) While a vacancy occurs in the office of the President and the time of next election is less than a gap of one year, the Senior Vice-President shall discharge the functions of the President in addition to his/her own duties until the next EC election.
- (3) If the vacancy occurs in the office of the Senior Vice-President, Vice-President, Secretary or Treasurer, then subject to the provision of Article 19(2), it shall be filled in by an elected General Members of the EC who shall be selected by the EC and then he/she shall serve up to the next EC election.
- (4) A vacancy in other portfolios or General Members may be filled in by co-opting a member from the Regular Members by the EC. Provided he/she is eligible and not disqualified to be a candidate according to articles 30 and 31 of this Constitution.
- (5) If any person, who has been co-opted as mentioned in clause (4), is unwilling to accept the post or refuses to carry on his/her duty, the EC may drop him/her and co-opt another in the similar way.
- (6) The EC may 'co-opt' members of sub-committees from the Regular or Honorary Members of the Porishod as and when required.

CHAPTER 6

ELECTION OF EXECUTIVE COMMITTEE

- EC*
General
- 28. Election of Executive Committee.-** (1) The election of the EC shall be held every three years on a convenient day in January or February of the election year.
- (2) The election of the EC shall be conducted in the manner set forth by and under the arrangement of the Election Commission constituted under the provision of this Constitution.
- (3) The office bearers and the General Members of the EC shall be elected by the direct vote of the Regular Members of the Porishod.
- (4) The election for the posts of the EC shall be held individually. Each candidate is to be proposed and seconded by another voting member in writing.
- (5) All the expenditures related to the election shall be borne by the respective Porishod.
- 29. Eligibility of Members to be Voter in Executive Committee election.** (1) Subject to the age limit mentioned in clause (2) of this article all Regular Members of the respective Porishod shall have the right to cast votes in EC election.
- (2) A Regular Member must attain minimum 18 (eighteen) years of age to be a voter.
- ✓ (3) An individual having the Regular Membership in more than one Porishod shall have the right to cast his/her vote in EC election of all such Porishod.

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30. Eligibility of Members to be Candidate in Executive Committee Election. (1) Subject to the limitations mentioned in this article the Regular Members of the respective Porishod shall have the right to be a candidate for the posts of EC.

(2) A Regular Member must attain minimum 25 (twenty five) years of age for the candidature in the EC election.

(3) A person, who becomes a Regular Member under article 7 clause (1) sub-clause (a) sub-sub-clause (ii) of this Constitution, shall be eligible to be a candidate in EC election after 5 (five) years of grant of his/her Regular Membership. However, no such limitation shall be applicable in the case of an officer of the defence services (serving or retired).

(4) An individual having Regular Membership in more than one Porishod shall be eligible to seek nomination only in one Porishod at a time.

31. Disqualification of Members to be Candidate in Executive Committee Election. (1) A Regular Member declared lunatic, by any competent medical board composed of medical officers of any CMH or a medical body referred by the DOHS Central Committee, shall be disqualified to contest in the EC election.

(2) A Regular Member who is a defaulter of Porishod dues for three months or more and Cantonment Board taxes for one year or more shall be disqualified for the candidature in the EC election.

(3) Any person, who is having a partnership in, or employed in or serving in any capacity in any company or farm or other business organization which is involved in or associated with any kind of business with or in a DOHS, shall be disqualified for the candidature for any post of the EC of the respective DOHS.

(4) A Regular Member proved to be involved in financial corruption or moral turpitude cases like murder, rape, forgery, defrauding or cheating etc., shall be disqualified for the candidature in the EC election.

(5) An office bearer or a member of EC shall be disqualified for candidature in EC election if an action is taken against him/her by the DOHS Central Committee upon the report of any audit committee for gross violation of any financial norm or involvement in corruption.

32. Composition of Election Commission.- (1) The Election Commission shall be composed of:

(a) Chief Election Commissioner (CEC) - Local Station Commander or a serving officer not below the rank of Brigadier General or equivalent as may be decided by the concerned Area Commander;

(b) Commissioners - see clause (2) below;

(c) Member Secretary - Respective Cantonment Executive Officer.

(2) The number of Commissioners shall be 3, 2 and 1 for category A, B and C Porishod respectively.

(3) In the case of category A and B Porishod one of the Commissioners shall be nominated by the Area Commander and another Commissioner shall be nominated by the Director General, Directorate of Military Land and Cantonments. In the case of category C Porishod one Commissioner shall be nominated by the Area Commander. The remaining Commissioner/s shall be selected from the voting members of the concerned Porishod. But no incumbent office bearer or member of the EC or a candidate contesting in the election shall be selected as a Commissioner.

(4) The service of the members of the Election Commission shall be honorary. However, their meal, conveyance or other incidental expenses shall be catered by the respective Porishod.

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33. Power of Election Commission.- (1) The Election Commission shall have the full power to conduct the election in a peaceful manner and in doing so may issue necessary instructions.

(2) On a matter of dispute, a candidate may appeal to the Chief Election Commissioner. The appeal shall be disposed of by the Chief Election Commissioner in consultation with all the members of the Commission.

(3) All the decisions of the Election Commission in respect of any dispute arising out of the election shall be final unless otherwise reviewed by the DOHS Central Committee.

(5) The Election Commission shall promulgate the election procedures as per this Constitution.

✓ (6) To ensure the continuity of the working condition and efficiency of the Porishod, the Election Commission shall conduct the election of the EC in time after inviting applications from the proposed candidates for the posts of office bearers and members of the EC.

34. Formation of Election Commission.- (1) Three months before the expiry of its tenure, but not later than 30 November prior to the election year, the Executive Committee (EC) shall inform the DOHS Central Committee in writing, about the termination of its tenure and shall request to constitute an Election Commission.

(2) The DOHS Central Committee shall then issue necessary instructions to the respective Area Commander to constitute the Election Commission and accordingly the Area Commander shall form the Election Commission within 31 December before the election year and the formation of the Election Commission shall immediately be brought to the notice of the DOHS Central Committee in writing.

(3) The incumbent Executive Committee (EC) shall then circulate the names of the members of the Election Commission to all the Regular Members at least 40 (forty) days prior to the election.

(4) Once the Election Commission is constituted, it may be altered with the approval of the DOHS Central Committee. If after its constitution any post falls vacant for any reason beyond the control of the constituting authority, it may be filled in as per the vacant post by the respective Area Commander.

(5) The Election Commission shall be constituted for conducting a particular election only. Once the election is over, the Commission shall cease to exist after 10 working days from the date of declaration of the election result officially.

35. Procedure for Conducting Election.- (1) After the Election Commission is constituted it shall then declare the election schedule. The declaration shall be made at least two months before the expiry of the term of the existing Executive Committee (EC).

(2) The election of the office bearers and the General Members of the Executive Committee (EC) shall be held by secret ballot on a date fixed by the Election Commission as per the procedures laid down below:

(a) **Submission of Nomination.** A Regular Member eligible for candidature in the election for the Executive Committee (EC) may submit his/her nomination as per the guidelines mentioned below:

(i) A candidate may seek nomination for only one post in the Executive Committee (EC);

(ii) A Regular Member willing to contest for any post in the Executive Committee (EC) has to clear all dues of the Porishod and Cantonment Board before submitting the nomination paper and attach a certificate prescribed in this regard;

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(iii) All nominations shall be submitted in the prescribed nomination paper issued by the Election Commission duly signed by the candidate himself/herself, and by his/her proposer and seconder, who shall also be Regular Members of the Porishod;

(iv) The nomination paper duly completed by the candidate seeking election shall be submitted to the Election Commission at a designated time and place set by the Election Commission;

(v) In case of non-compliance of any of the provisions mentioned in sub-sub-clauses (i) to (iv) above, then the nomination form may be considered for rejection by the Election Commission;

(vi) The last date of submission of nomination shall, at least, be 30 days prior to the actual date of election.

(b) **Scrutiny of Nomination Paper and Disposal of Objection etc.-**

(i) On receipt of the nomination papers the Election Commission shall scrutinize the same and prepare a valid list of candidates within 72 (seventy two) hours of the last time of submission of nomination paper showing the position against which the nomination was submitted and display the same in the Notice Board and DOHS website;

(ii) The Election Commission shall circulate the names of the eligible candidates to the voters at least 21 (twenty one) days prior to the election by circulating notice in the conspicuous places of Station Headquarters, Cantonment Boards, Porishod Office and MEO's Office. Further measures in this respect shall, if needed, be decided by the Chief Election Commissioner;

(iii) If any objection is raised by any person or any allegation is submitted before the Election Commission in respect of eligibility of any particular candidate, then the Commission must receive/collect sufficient documentary evidence in order to satisfy itself to reach at a decision and provide justification in support of their decision. The Election Commission may seek the support from the DOHS Central Committee for official process that may be required to ascertain the genuineness of such objection or allegation;

(iv) The decision of the Election Commission, accepting or rejecting the objection or allegations, as the case may be, in this regard shall be final.

(c) **Canvassing.-**

(i) All candidates shall abide by the instructions related to canvassing as may be circulated by the Election Commission in this regard;

(ii) No candidate shall host any party or arrange any get-together or he/she be hosted by any Regular Member in any party or dinner or get-together or in any other form of canvassing for the election.

(d) **Balloting.-**

(i) The Election Commission shall issue ballot papers in the election booth ascertaining the identity and eligibility of the voters from the voter list issued earlier;

(ii) The balloting shall be conducted as per the instructions issued by the Election Commission in this respect.

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(e) **Distance Balloting.-** The distance voting system may be allowed in the DOHS located outside Dhaka and its periphery.

(f) **Counting of Votes.-** After the expiry of voting time counting of votes shall commence in the presence of the candidates or their selected representatives and shall continue until all votes are counted and the results are compiled and signed by all the members of the Election Commission.

(g) **Declaration of Result.-**

(i) The result of the election shall be declared within 24 hours of the last time of casting of votes;

(ii) The names of the newly elected office bearers and members against each position shall be displayed in the Porishod Notice Board immediately after the declaration of the result;

(iii) The Election Commission shall then submit a report concerning election results to the DOHS Central Committee.

36. **Assumption of Office of Executive Committee. -** (1) The proper handing-taking shall be carried out between the incoming and outgoing EC of the Porishod within the last day of February of the election year.

(2) Newly elected office bearers and members of EC shall assume office on the first day of March immediately following the election and shall serve for the term of office or until successors have been duly elected.

CHAPTER 7

DUTIES AND RESPONSIBILITIES OF OFFICE BEARERS AND GENERAL MEMBERS OF EXECUTIVE COMMITTEE

37. **Duties and Responsibilities of President.-** The duties and responsibilities of the President shall be as follows:

(a) The President shall be the operational head of the Porishod who shall run the Porishod activities within the limits provided in this Constitution and with due regards to the civic and democratic norms of the society rather than being authoritative;

(b) He/she shall ensure the attainment of the aims and objectives of the Porishod as laid down in this Constitution;

(c) He/she shall supervise the activities of the Porishod in co-operation with the concerned office bearers and members of the EC;

(d) He/she shall over-see the activities of Member Security and Member Administration;

(e) He/she shall keep close liaison with the Secretary and Treasurer;

(f) He/she shall convene the General and any other meeting of the Porishod and of the EC and fix the agenda and date of such meetings as provided in this Constitution;

(g) He/she shall preside over all the Meeting of the Porishod and the EC;

(h) He/she shall have a casting vote in the case of a tie in any meeting/decision;

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- (i) He/she shall authenticate the minutes of the Meetings by putting his/her signature and then distribute it to the Members;
- (j) He/she shall sanction the expenditures of the Porishod as per the directives of the Constitution;
- (k) He/she shall ensure the expenses of the Porishod as provided in this Constitution in attainment of the objectives of the Porishod and shall exercise judiciousness in regard to such expenditure;
- (l) He/she shall remain responsible for all activities of the EC;
- (m) He/she shall refer all the matters which are beyond the purview of the EC to the DOHS Central Committee.

38. Duties and Responsibilities of Senior Vice-President.- The duties and responsibilities of the Senior Vice-President shall be as follows:

- (a) He/she shall perform the responsibilities of the President in his/her absence;
- (b) He/she shall perform all such duties as laid down for the President in his/her absence as the acting President including sanctioning of the expenditures;
- (b) Generally he/she shall assist the President on matters related to coordination with the DOHS Central Committee or as may be decided by the EC.

39. Duties and Responsibilities of Vice-President.- The duties and responsibilities of the Vice-President shall be as follows:

- (a) Whenever the President and the Senior Vice-President are absent in an EC meeting, the Vice President shall preside over the meeting;
- (b) In addition to the duties and responsibilities mentioned above, the Vice President shall act as the convener of any of the sub-committees assigned by the EC.

40. Duties and Responsibilities of Secretary.- The duties and responsibilities of the Secretary shall be as follows:

- (a) He/she shall ensure implementation of the policy decisions of the Porishod;
- (b) He/she shall exercise general supervision of the activities of all the office bearers and members of the EC;
- (c) He/she shall be responsible for notifying the members of the Porishod of the date and time of meetings, preparation of agenda for the meetings, issue of circulars etc, in consultation with the President;
- (d) He/she shall authenticate recording of the proceedings of the meetings as produced by the Joint Secretary;
- (e) He/she shall ensure maintenance of such registers/documents/records including the Register of the Members as are necessary for proper functioning of the Porishod;
- (f) He/she shall appoint and remove any person from the service of the Porishod including security guards and master roll employees as per the decision of the EC;

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- (g) He/she shall receive and issue letters on behalf of the EC, if not otherwise delegated by the EC.

41. Duties and Responsibilities of Joint Secretary.- The duties and responsibilities of the Joint Secretary shall be as follows:

- (a) He/she shall assist the Secretary in all respect and shall act as Secretary in absence of the Secretary;
- (b) He/she shall be responsible for recording the proceedings of the meetings in the minute book maintained for that purpose.

42. Duties and Responsibilities of Treasurer.- The duties and responsibilities of the Treasurer shall be as follows:

- (a) He/she is responsible for all financial transaction of the Porishod;
- (b) He/she is responsible for custody and maintenance of all auditable documents including books of accounts, ledgers and registers etc.;
- (c) He/she shall ensure that all auditable documents, books of accounts and registers are kept up to date and statements of income and expenditures are recorded by the Accounts Executive/Accountants;
- (d) He/she shall ensure that all the expenditures are duly authorized by the President and the Secretary;
- (e) He/she shall ensure that all income/receipts are deposited in the Bank on the next banking day;
- (f) He/she shall maintain one or more savings/fixed account of the Porishod, as may be required, with any scheduled Bank of Bangladesh as decided by the EC.

43. Duties and Responsibilities of Joint-Treasurer.- Where applicable the Joint Treasurer shall assist the Treasurer on matters related to duties and responsibilities of the Treasurer as may be assigned by the EC.

44. Duties and Responsibilities of Member Security.- The duties and responsibilities of the Member Security shall be as follows:

- (a) He/she shall make proper security plan for the security of the DOHS in consultation with Secretary/President or the EC;
- (b) He/she shall maintain a register of the security guards and record their performance and conduct;
- (c) He/she shall maintain a duty roster register and oversee it and take such actions including maintenance of discipline as necessary for the security of the DOHS;
- (d) He/she is also responsible for primary security of the area.

45. Duties and Responsibilities of Member Administration.- The duties and responsibilities of the Member Administration shall be as follows:

- (a) He/she shall be responsible for general administration of the DOHS area and all the employees;

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- (b) He/she shall look into, manage and solve all the civic problems such as roads, electricity, WASA, garbage disposal, area beatification etc.

46. **Duties and Responsibilities of Member Medical.-** The duties and responsibilities of the Member Medical shall be as follows:

- (a) He/she shall be responsible for smooth functioning of the MI Room of the respective DOHS in co-ordination with nearest CMH;
- (b) He/she shall monitor and supervise the activities and performance of the personnel employed in the MI Room;
- (c) He/she shall advise EC regarding maintenance of proper health, hygiene and sanitation inside the respective DOHS area;
- (d) Any other duties as assigned or imposed upon him by the EC.

47. **Duties and Responsibilities of General Members of Executive Committee.-** The duties and responsibilities of the General Members shall be as follows:

- (a) They shall remain present in the EC meetings and participate actively in the discussion of the meetings;
- (b) They shall give opinions in the process of forming decisions in the EC and any other meetings and actions they are attending;
- (c) They shall perform other duties as assigned or imposed upon them by the EC.

48. **Duties and Responsibilities of Convener, Sub-committee.-** The duties and responsibilities of the Convener, Sub-committee shall be as follows:

- (a) He/she shall preside over all the Sub-committee meeting. In his/her absence, the convener may nominate any member of that committee to preside over the meeting;
- (b) He/she shall ensure maintenance of the minutes of the meeting along with decision in the register regularly;
- (c) He/she shall function within the purview of the terms of references given by the Constitution, General Body and the EC.

49. **Duties and Responsibilities of Member Secretary, Sub-Committee.-** The duties and responsibilities of the Member Secretary, Sub-committee shall be as follows:

- (a) He/she shall fix the date and timing of the meeting in consultation with the Convener;
- (b) He/she shall help the convener in preparing the minutes of the meetings;
- (c) He shall sign letters on behalf of the Convener, Sub-Committee, if needed.

CHAPTER 8

MEETINGS

50. **Meetings of Executive Committee and Sub-Committees.-** (1) Regular meeting of the EC and the sub-committees shall be held once in a month or as may be decided by EC.

- (2) The presence of one third of the total members of the EC shall make a quorum for any EC meeting.

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- (3) In the case of the meetings of the sub-committees, presence of three members shall make a quorum.
- (4) In the meeting of both EC and sub-committees the majority decision shall hold good.

51. General Meeting (GM).- General Meetings of General Body will be held in the form of Annual General Meeting (AGM) and Extra-ordinary General Meeting (EGM) as laid down in this chapter.

52. Annual General Meeting (AGM).- (1) The General Body of the Porishod shall meet in the Annual General Meeting (AGM) once in a year in the month of January.

(2) All Regular Members shall have the right to attend the Annual General Meetings (AGM) of the Porishod.

(3) An AGM shall have the power to approve and disapprove any decision/actions of the EC or of any office bearer or member and can suggest making or amending any instruction or bye-laws of the Porishod.

(4) Initially the presence of at least 10% of the Regular Members of the General Body shall form a quorum of AGM.

(5) In the case of short fall, an interval of one hour (60 minutes) shall be allowed by deferring the meeting (call to order) to fulfill the quorum. If the quorum does NOT fulfill the minimum required number of members, then the meeting may be continued with available number of members. In this case, minimum 50% of the EC members must be present or else a fresh date shall be announced for the AGM.

(6) When a meeting is called to order without fulfilling the quorum as per clause (5) above, then the routine matters may be discussed and no decision will be taken by the meeting unless the quorum is fulfilled by this time. Otherwise a fresh date will be announced for the AGM.

(7) All the resolutions adopted in any Annual General Meeting shall be by a simple majority.

53. Schedule of Annual General Meeting.-(1) The notice for the time, date and place of the meeting shall be issued by the Secretary in consultation with the President at least 30 days before the actual meeting.

(2) If any member wants to raise/make any proposal/point in the AGM, he/she shall have to send it to Secretary at least 14 days before the meeting.

54. Agenda for Annual General Meeting.-(1) The agenda of an AGM shall be circulated by the Secretary at least 14 (Fourteen) days in advance of the meeting.

(2) In preparing the agenda for the AGM the EC shall have the following powers:-

- (a) To determine the order of the business;
- (b) To coordinate into one or more resolutions and all resolutions covering the same subject wholly or in part;
- (c) To reject any proposal or point of order which are inconsistent or inappropriate with the aim and objectives of the Porishod;
- (d) To frame and introduce any resolution which may deem necessary for consideration of the General Body.

(3) The Annual General Meeting of the Porishod shall transact the following business:

- (a) Consider the annual report of the Porishod;
- (b) Discuss and adopt the budget estimate for the year;

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- (c) Consider and authenticate the audited Accounts of the Porishod;
- (d) Appoint auditors and fix their remuneration, if needed;
- (e) Consider any matter or any point raised by any member of the Porishod;
- (f) Discuss and adopt other resolutions; and
- (g) Any other business on the agenda allowed by the General Body.

55. Extra-ordinary General Meeting (EGM). (1) An EGM may be convened in the following circumstances:

- (a) When the amendment of the Constitution is in question;
 - (b) When a decision is required to be taken on an important issue which would otherwise require an approval of AGM, but is too urgent to wait up to next AGM;
 - (c) When a 'no confidence motion' is raised against the EC or to any one of the core appointment of the EC;
 - (d) On demand of at least 20% of its Regular Members.
- (2) Except in case of clause (3) below the formation of quorum for the EGM shall be same as AGM and all the resolutions adopted shall be by a simple majority.
- (3) The EGM requisitioned for the purpose of moving 'no confidence' motion shall require at least a quorum of 50% of the Regular Members and the motion for 'no confidence' be adopted by $\frac{3}{4}$ (three-fourth) of the members present in the meeting.
- (4) If within 60 (sixty) minutes from the time appointed for an EGM, a quorum is not present, the meeting if called upon on the requisition of members shall be dissolved once for all.
- (5) In any other case, it shall stand adjourned to the same day, time and place in the next week and any number of members present and eligible for vote in the meeting shall form the quorum.

56. Schedule of Extra-ordinary General Meeting.- (1) The notice for the time, date and place of the meeting shall be issued by the Secretary at least 21 days before the actual meeting.

- (2) No other business other than that specified in the notice convening the EGM shall be transacted.
- (3) The EC shall, upon a requisition having been so made in writing stating the purpose of the meeting, convene an EGM.
- (4) If the EC do not proceed within 20 (twenty) days from the date of the requisition being so deposited to cause a meeting to be called, the members making the requisition or a majority of them may themselves call the meeting in the same manner as nearly as the meeting would have been called by the EC.

57. Presiding over General Meetings.- (1) In all General Meetings the President or in his/her absence the Senior Vice-President shall preside over the meeting. And if the President and the Senior Vice President both are absent or otherwise unable to preside over the meeting then the Vice President, and in his/her absence a General Member of the EC, selected unanimously by the office bearers and other General Members present shall preside over the meeting.

- (2) In the case of an EGM under clause (4) of Article 56 a General Member of the Porishod selected unanimously by the other General Members present shall preside over the meeting.

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58. Voting/Polling procedure in General Meeting.- (1) If in any General Meeting a resolution is put to the vote it shall be decided by show of hands unless a poll is demanded by the President or by at least five other members of the EC present in the meeting.

(2) The President shall declare that the resolution by a show of hands has been carried out unanimously or by a particular majority. An entry to that effect recoded in the book of proceedings of the Porishod shall be a conclusive evidence of the fact without proof of the member or proportion of the vote recorded in favor of or against the resolution.

(3) If the poll is duly demanded in any General Meeting, the poll shall be taken in such manner as the President directs and the result of the poll shall be deemed to be the resolution of the meeting for which the poll was demanded.

(4) In the case of equality of votes by show of hands, the President of the meeting shall be entitled to a second or casting vote. But in the case of poll, the President presiding over the meeting shall not have any casting vote.

CHAPTER 9

FUNDS AND ACCOUNTS

59. Funds and Properties of the Porishod.- (1) All funds and properties of the Porishod shall be vested in the EC as trustee to carry out the aims and objectives of the Porishod.

(2) The funds and accounts of the Porishod shall be maintained as per procedures laid down and any other instruction of the EC issued from time to time for ensuring accountability and transparency in the financial operation.

60. Operation of Funds.- All funds shall be maintained in a schedule/nationalized Bank in the savings/current accounts opened in the name of the Porishod as decided by the EC and shall be operated by any two of the following office bearers:

- a. President (in the absence of President, Senior Vice-President);
- b. Secretary (in the absence of Secretary, Joint Secretary);
- c. Treasurer (in the absence of Treasurer, Joint Treasurer or where there is no Joint Treasurer then Secretary).

61. Funding.- The sources of income of the Porishod shall be :

- (a) Donations by the services Headquarters and other organization/individuals (subject to the approval of the EC);
- (b) Monthly subscription from the residents for engagement of security guards, office staff etc. (rate of subscription per premise or flat to be decided from time to time in a General Meeting);
- (c) Miscellaneous subscriptions from the members for get together etc.;
- (d) Any other source (subject to the approval of the EC).

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62. **Expenditure.-** The funds for the Porishod shall be spent for the following purposes:

(a) **Recurring:**

- (i) Payment of salaries of the office employees of the Porishod and security guards;
- (ii) Purchase of stores and equipment.

(b) **Non- Recurring:**

- (i) Maintenance and upkeep of the office, mosque, parks, facilities including furniture, building etc., maintained by the Porishod;
- (ii) Get together on different occasions;
- (iii) Cultural and literary activities;
- (iv) Games and sports and other recreational events organized on any occasion.

63. **Mode of Sanctioning of Expenditure.-** (1) All proposals for expenditure and appropriations of the funds of the Porishod shall be discussed in the General Meeting and to be approved/rejected by the majority of the votes.

(2) Each case of withdrawal of money from the bank is to be supported by the requisition and sanctioned by the President/Senior Vice-President of the EC.

(3) Day to day expenses may be incurred from cash in hand by the President or Senior Vice-President or Secretary of the Porishod which shall be topped up with proper expense proceeding in the form of regular expense procedure.

(4) No expenditure shall be split for the purpose of accommodating within the financial power mentioned in article 64 without the approval of a General Meeting.

(5) There shall not be any limit for expenses by the EC once the expenditure is sanctioned or approved by the General Body through AGM or EGM.

64. **Financial Power of Executive Committee and Others.-** (1) The EC is authorized with the following financial limit to meet any emergency expenditure which shall be placed in the Annual General Meeting of the respective Porishod for approval:

- (a) EC of category A Porishod up to - Taka 15,00,000/- (fifteen lac);
- (b) EC of category B Porishod up to - Taka 10,00,000/- (ten lac);
- (c) EC of category C Porishod up to - Taka 5,00,000.00 (five lac).

(2) In addition, the President of the EC of the respective Porishod are authorized with the following financial limits to meet any emergency expenditure which shall be placed and passed in the EC meeting within 45 days of the expense made and such expenditure shall be placed and passed in the Annual General Meeting of the respective Porishod for Approval:

- (a) President of Category A Porishod up to - Taka Taka 5,00,000.00 (five lac);
- (b) President of Category B Porishod up to - Taka 3,00,000.00 (three lac);
- (c) President of Category C Porishod up to - Taka 2,00,000.00 (two lac).

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(3) To meet any emergency expenditure the Treasurer shall normally hold a cash amount not exceeding Taka 1,00,000.00 (one lac) at any time, except the daily collection which shall be deposited in the bank on the next banking day.

(4) The Secretary may use a discretionary power to meet emergency expenses in the absence of President or Senior Vice-President amounting Taka 25,000.00 (twenty five thousand) only which shall be placed before the EC within 45 days for approval.

65. Accounting.- The procedure of accounting shall be as follows :

(a) All expenses/receipts are to be supported by a proper voucher duly signed by the person incurring the expenditure and countersigned by the competent authorities (Secretary of the EC, in the case Secretary spends, President of the EC shall countersign);

(b) All expenditure/receipts are to be entered in the cash book and duly recorded in the receipt /expenditure side of the cash book;

(c) Bank account shall be recorded monthly;

(d) All collections on account of subscriptions are to be deposited to the Treasurer daily and entered into a separate cash book maintained for that purpose;

(e) All the receipt books should be numbered serially and signed by the Secretary before bringing into use.

66. Audit.- (1) The funds of the Porishod including all auditable documents of accounts etc. shall be examined and ascertained primarily by an Audit Committee, to be nominated from the Regular Members of the Porishod in the General Meeting.

(2) The Audit Committee shall consist of a president and at least two members. A member of the EC shall not be eligible for nomination as a member of the Audit Committee during his/her tenure of office or as such.

(3) The Audit Committee shall submit its report six monthly to the President of the EC who shall in turn place it before the EC.

(4) An External Audit shall be carried out yearly basis. The External Audit Committee shall consist of four members. Two members including the president of the committee to be nominated by the EC from General Members of the same DOHS, one member from another DOHS and the other member shall be from Station Headquarters. The reports of the audit committee shall be presented to General Body at the AGM.

67. Audit Committee's Right of Access.- (1) Both the Audit Committees shall have the right of access to the books and accounts of the Porishod and be entitled to inquire from the EC information as may be necessary for audit purpose.

(2) The Audit Committees shall immediately bring to the notice of the President of the EC of any irregularity, who shall after necessary investigation put up his/her recommendations before the General Body for decision.

(3) The reports of the Audit Committee when approved in the General Meeting shall be conclusive except as regards to any error discovered within three months after the approval.

68. Exemption from External Audit.- Porishod account is not subject to any kind of external audit except by an External Audit Committee provided under this Constitution.

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69. **Maintenance of Documents etc.-** The following books of accounts/register are to be maintained by the concerned office bearers of the EC:

- a. Cash Book;
- b. Minute Book;
- c. Registers of donations and subscriptions;
- d. Receipt Books for donation and subscription etc.;
- e. Registers of properties (movable / immovable);
- f. Attendance Register of security guards and other employees of the Porishod;
- g. Salary Disbursement Register;
- h. Community Centre Reservation Book (where applicable);
- i. Register of Members;
- j. Alternative Dispute Resolution (ADR) Book;
- k. Formal complain book; and
- l. any other relevant documents.

CHAPTER 10

MISCELLANEOUS

70. **Application of the Cantonment Ain, 2018 (Act No XXVII of 2018) - (1)** As per Section- 213 of the Cantonment Ain, 2018 (Act No XXVII of 2018), all DOHS are part of Cantonment and all the provisions of the said Ain shall be applicable for all DOHS accordingly.

(2) As per Section- 173, 174 and 175 of the Cantonment Ain, 2018 (Act No XXVII of 2018), seditious, disorderly and lewd persons may be removed from the Cantonment or prohibited from entering the Cantonment.

(3) Section- 173, 174, 175 and 213 of the Cantonment Ain, 2018 (Act No XXVII of 2018) have been reproduced in this Constitution as Annexure – D.

71. **Resolution of Disputes.- (1)** Disputes on any matter among the members shall be placed before the EC for peaceful settlement or reconciliation of the same.

(2) When the residents get involved in disputes with other persons and the EC feels that the matter should be taken up by them, then it shall also be placed before the EC for peaceful settlement or reconciliation of the same.

(3) The EC shall handle the disputes primarily with its Alternative Dispute Resolution (ADR) sub-committee in the process of peaceful settlement.

(4) The EC may refer the case to the DOHS Central Committee for necessary guidance or decision. The decision of the DOHS Central Committee shall be final and binding upon the parties.

THE CONSTITUTION OF DOHS PORISHOD

72. Registration of Porishod.- According to Section- 213 of the Cantonment Ain- 2018, the DOHS is under the administrative jurisdiction of the Ministry of Defence and the Porishod is a welfare oriented organization exclusively for the residents of DOHS and is a self-governing and self-accounting organization. It's registration under "The Societies Registration Act, 1860" or "The Voluntary Social Welfare Agencies Registration and Control Ordinance, 1961" is not applicable.

73. Bye- laws.- (1) Bye- laws may be framed, in the form of standing operating procedure (SOP) or policy or instructions etc., elaborating the powers, duties and responsibilities of different appointment holders, method of implementation of audit and account procedures, security plans, election related matters and other aspects not available in this Constitution.

(2) Such bye- laws shall be framed by the special committees formed by the EC and passed by the majority votes in General Body and to be approved by the DOHS Central Committee.

(3) Bye- laws and orders shall be in conformity with this Constitution. If it contradicts with the Constitution, then the Constitution shall prevail.

74. Amendment of the Constitution.- (1) Amendment proposal of the Constitution shall only be made in the General Meeting of the Porishod.

Provided that no amendment shall be made under this Article in respect of:

(a) any provision of Chapter 4 of this Constitution; or

(b) any power conferred upon the DOHS Central Committee or its Chairman by this Constitution.

(2) Proposals for such amendments may be initiated by any member addressed to the Secretary, which shall be circulated by him to all the Regular Members of the Porishod at least 45 days in advance of the scheduled date of the meeting.

(3) Any such amendment shall be deemed to have been passed if 2/3 (two third) of the total Regular Members present cast their votes in favour of such amendment.

(4) After the decision of the EGM it shall be sent to the DOHS Central Committee who shall forward the proposed amendment to all other Porishod for their opinion.

(5) The proposal so sent shall be placed in EGM of such other Porishod. The results shall then be sent to the DOHS Central Committee.

(6) If the results received from the majority or half of the Porishod is in favor of the amendment then it shall be approved by the DOHS Central Committee for inclusion in the Constitution.

(7) If at any time, it deems to the DOHS Central Committee that an amendment should be brought in the Constitution, the proposal shall be forwarded to all Porishod for placing that in EGM in the manner mentioned above. The results shall then be received by the DOHS Central Committee and subsequent action shall be done in accordance with clause (6) above.

75. Proceedings and their Evidential Value.- All minutes, proceedings, decisions, resolution of the General Meetings, the EC meetings and the meetings of the committees and the sub-committees signed by the Porishod Secretary/Joint Secretary or the secretary of any such meetings and countersigned by the President of the EC or the member or office bearer presiding over such meetings shall be valid and accepted as evidence of all the matters stated therein. Office copy of the minute shall be signed by all the EC members present in meeting of the EC.

THE CONSTITUTION OF DOHS PORISHOD

76. **Formation of Association among Flat Owners of a Plot.-** (1) In any DOHS, the flat owners of a single plot or plots developed jointly will form an association among the flat owners of that or those plot/s.
- (2) The original lessee or in the absence of the lessee, the spouse of such lessee will act as the president of the association.
- (3) The association may frame its own policy consistence with this Constitution.
- (4) The association will be bound by the decisions of respective DOHS Porishod.
77. **Interpretations.-** (1) In this Constitution except where the subject or context otherwise requires:
- a. **"Alternative Dispute Resolution"** (ADR) means a procedure to resolve dispute among the members within the capacity of various committees of the Porishod and higher committees without referring the matter for a formal litigation;
- b. **"Audit Committee"** means the committee nominated by the General Body to audit the accounts of the Porishod;
- c. **"Children"** means the actual and legitimate children. In the absence of the actual child, legally adopted child, when the adoption is done in accordance with the respective personal law, will be applicable for the lessee, but shall not include wards;
- d. **"Convener"** means a member who is bestowed with certain specific responsibility and heads a sub-committee of the Porishod;
- e. **"Defence services"** means the Bangladesh Army, the Bangladesh Navy and the Bangladesh Air Force;
- f. **"Government"** means the Government of the Peoples Republic of Bangladesh represented by Ministry of Defence;
- g. **"Lessee"** means the person to whom a plot in DOHS has been leased out singly or jointly with others by the Government;
- h. **"Office bearer"** means the President, Senior Vice-President, Vice-President, Secretary, Treasurer, Joint Secretary, Joint Treasurer, Member Security, Member Administration and Member Medical of the EC assigned with the specific responsibility.
- (2) Necessary clarification of any expression or terminology, used in this Constitution but not defined or interpreted, shall be obtained from the DOHS Central Committee.

THE CONSTITUTION OF DOHS PORISHOD

78. Commencement and Repeal.- This Constitution may be called as the Constitution of the DOHS Porishod and shall come into force forthwith. The previous Constitution of the DOHS Porishod is hereby repealed.



Authentication/Official

By the order of

**The Chief of Army Staff, Bangladesh Army
And
Chairman, DOHS Central Committee**

MOHAMMAD SHAMSUL HAQUE
Lieutenant General
Quarter Master General
Bangladesh Army

MOHAMMAD MAMUN OR RASHID
Brigadier General
Director
Movement & Quartering Directorate
Army Headquarters

File reference:

23.01.901.044.02.071.02.24.10.19

ANNEXURE A

(Referred to in Article 12)

The DOHS Central Committee

(As may be notified by Ministry of Defence)

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

প্রতিরক্ষা মন্ত্রণালয়

গণভবন কমপ্লেক্স

শেরেবাংলা নগর, ঢাকা

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নম্বরঃ ২৩.০০.০০০০.০৯০.১৮.০৪.৯৪-১৪৫

তারিখঃ ০২ বৈশাখ ১৪২৬

১৫ এপ্রিল ২০১৯

প্রজ্ঞাপন

সামরিক অফিসার আবাসিক প্রকল্প (ডিওএইচএস) কমিটিতে জাজ এ্যাডভোকেট জেনারেল, বাংলাদেশ সেনাবাহিনী-কে অন্তর্ভুক্তিপূর্বক সরকার নিম্নোক্ত সদস্যগণের সমন্বয়ে সামরিক অফিসার আবাসিক প্রকল্প কমিটি পুনর্গঠন করিলেনঃ

(ক)	সেনাবাহিনী প্রধান	- চেয়ারম্যান।
(খ)	কোয়ার্টার মাস্টার জেনারেল, বাংলাদেশ সেনাবাহিনী	- সদস্য।
(গ)	সহকারী নৌবাহিনী প্রধান	- সদস্য।
(ঘ)	সহকারী বিমান বাহিনী প্রধান	- সদস্য।
(ঙ)	সংশ্লিষ্ট এরিয়া কমান্ডার	- সদস্য।
(চ)	জাজ এ্যাডভোকেট জেনারেল, বাংলাদেশ সেনাবাহিনী	- সদস্য।
(ছ)	পরিচালক, চলাচল ও বাসস্থান পরিদপ্তর, সেনাসদর	- সদস্য।
(জ)	সভাপতি, সকল ডিওএইচএস পরিষদ	- সদস্য।
(ঝ)	মহাপরিচালক, সামরিক ভূমি ও ক্যান্টনমেন্ট অধিদপ্তর	- সদস্য সচিব।

কমিটির টার্মস অব রেফারেন্স

- (ক) সামরিক অফিসার আবাসিক প্রকল্প প্রণয়ন ও উহা বাস্তবায়নের জন্য সুপারিশকরণ;
- (খ) সরকার কর্তৃক সামরিক অফিসার আবাসিক প্রকল্পের অনুমোদিত প্লট বাহিনীত্রয়ের কর্মকর্তাদের মধ্যে বন্টনের সুপারিশকরণ;
- (গ) সামরিক অফিসার আবাসিক প্রকল্পের প্লটে বাড়ি নির্মাণের সময়সীমা বার্ষিককরণের সুপারিশকরণ;
- (ঘ) সামরিক অফিসার আবাসিক প্রকল্পের উন্নয়নমূলক কাজের নীতিমালা প্রণয়ন;

- (ঙ) সামরিক অফিসার আবাসিক প্রকল্পের ব্যবস্থাপনার ক্ষেত্রে কোন সমস্যা দেখা দিলে তা সমাধানের জন্য সিদ্ধান্ত গ্রহণ;
- (চ) সামরিক অফিসার আবাসিক প্রকল্পের জমি, প্লট ও ফ্ল্যাট হস্তান্তরের বিষয়ে সরকার কর্তৃক নীতিমালা প্রণয়নের নিমিত্তে সুপারিশকরণ;
- (ছ) সামরিক অফিসার আবাসিক প্রকল্পের জন্য প্রযোজ্য নীতিমালার (যে নীতিমালা অনুসরণ করে ডিওএইচএস এর সকল কার্যক্রম পরিচালিত হবে) খসড়া প্রণয়ন, সংশোধন এবং বাস্তবায়নের লক্ষ্যে সরকারি অনুমোদনের জন্য সুপারিশকরণ;
- (জ) সামরিক অফিসার আবাসিক প্রকল্পের অভ্যন্তরে সামাজিক এবং সৌহার্দ্যপূর্ণ সম্পর্ক বজায় রাখার জন্য প্রয়োজনীয় লিখিত নির্দেশনা প্রদান;
- (ঝ) সামরিক অফিসার আবাসিক প্রকল্পের প্লট পাওয়ার জন্য বিভিন্ন শ্রেণির অফিসারদের যোগ্যতার ব্যাপারে প্রয়োজনীয় সুপারিশ প্রদান;
- (ঞ) ডিওএইচএস এর গঠনতন্ত্রের আলোকে ডিওএইচএস পর্যদসমূহের কার্যক্রম পরিচালনা নিশ্চিত করা; এবং
- (ট) সামরিক অফিসার আবাসিক প্রকল্পের ব্যাপারে বিবিধ কার্যাবলী সংক্রান্ত সিদ্ধান্ত গ্রহণ।

রাষ্ট্রপতির আদেশক্রমে

XXXXXX

(রাশেদা জামান)

উপসচিব

ফোনঃ ৯১১২২৯৫

তারিখঃ ০২ বৈশাখ ১৪২৬

১৫ এপ্রিল ২০১৯

নম্বরঃ ২৩.০০.০০০০.০৯০.১৮.০৪.৯৪-১৪৫

অনুলিপি সদয় অবগতি ও প্রয়োজনীয় ব্যবস্থা গ্রহণের জন্য প্রেরণ করা হলোঃ

- ১। মহাপরিচালক
সামরিক ভূমি ও ক্যান্টনমেন্ট অধিদপ্তর
ঢাকা সেনানিবাস, ঢাকা।
- ২। উপ-পরিচালক
বাংলাদেশ ফরমস ও প্রকাশনা অফিস,
তেজগাঁও, ঢাকা।

(বাংলাদেশ গেজেটে প্রকাশের অনুরোধসহ)

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(রাশেদা জামান)

উপসচিব

ফোনঃ ৯১১২২৯৫

ANNEXURE B

(Referred to in Article 13)

The DOHS Advisory Committee

(As may be determined by the DOHS Central Committee)

ক্রোড়পত্র ক

সেনাসদর, এমএমকিউ পরিদপ্তর

পত্র নং ২৩.০১.৯০১.০৪৪.০২.০৭১.০২.০৯.০৯.১৮

তারিখ ০৯ সেপ্টেম্বর ২০১৮

ডিওএইচএস এ্যাডভাইজারি কমিটি ।১। সংগঠন ।

ক।	কোয়ার্টার মাস্টার জেনারেল, বাংলাদেশ সেনাবাহিনী	-	সভাপতি ।
খ।	এরিয়া কমান্ডার, লজিষ্টিক্স এরিয়া, ঢাকা সেনানিবাস	-	সদস্য ।
গ।	মহাপরিচালক, সামরিক ভূমি ও সেনানিবাস অধিদপ্তর	-	সদস্য ।
ঘ।	পরিচালক, চলাচল ও বাসস্থান পরিদপ্তর, সেনাসদর	-	সদস্য ।
ঙ।	পূর্ত পরিচালক, নৌ সদর দপ্তর	-	সদস্য ।
চ।	পূর্ত পরিচালক, বিমান সদর দপ্তর	-	সদস্য ।
ছ।	স্টেশন কমান্ডার, ঢাকা সেনানিবাস	-	সদস্য ।
জ।	এডিএমকিউ (লিগ্যাল), চলাচল ও বাসস্থান পরিদপ্তর, সেনাসদর	-	সদস্য ।
ঝ।	সামরিক ভূ-সম্পত্তি প্রশাসক, কেন্দ্রীয় সার্কেল, ঢাকা সেনানিবাস	-	সদস্য ।
ঞ।	প্রতি ডিওএইচএস পরিষদ এর একজন প্রতিনিধি	-	সদস্য ।
ট।	ক্যান্টনমেন্ট এক্সিকিউটিভ অফিসার, ঢাকা সেনানিবাস	-	সদস্য সচিব ।

২। টার্মস অব রেফারেন্স ।

- ক। ডিওএইচএস কমিটি এবং ডিওএইচএস পরিষদের মধ্যে সমন্বয়কের কাজ করা ।
- খ। ডিওএইচএস কমিটির সিদ্ধান্তসমূহ বাস্তবায়ন করা ।
- গ। বৎসরে কমপক্ষে দুইবার কমিটির সভা অনুষ্ঠিত করা ।

ANNEXURE C

(Referred to in Article 14)

The Sub-Committees of the DOHS Central Committee

(As may be notified by Ministry of Defence)

ক্রোড়পত্র ক

সেনাসদর, এমএন্ডকিউ পরিদপ্তর

পত্র নং ২৩.০১.৯০১.০৪৪.০২.০৭১.০২.০৯.০৯.১৮

তারিখ ০৯ সেপ্টেম্বর ২০১৮

বিভিন্ন সাব-কমিটি

১। পিটিশন সাব-কমিটি।

ক। সংগঠন।

- | | | |
|-----|------------------------|---|
| (১) | সভাপতি | - কোয়ার্টার মাস্টার জেনারেল, বাংলাদেশ সেনাবাহিনী |
| (২) | সদস্য | - মহাপরিচালক, সামরিক ভূমি ও সেনানিবাস অধিদপ্তর |
| | | - পরিচালক, চলাচল ও বাসস্থান পরিদপ্তর, সেনাসদর |
| | | - পূর্ত পরিচালক, নৌ সদর দপ্তর |
| | | - পূর্ত পরিচালক, বিমান সদর দপ্তর |
| | | - সংশ্লিষ্ট সামরিক ভূ-সম্পত্তি প্রশাসক |
| (৩) | সমন্বয়কারী প্রতিষ্ঠান | - সামরিক ভূ-সম্পত্তি প্রশাসন দপ্তর, সেন্ট্রাল সার্কেল, ঢাকা সেনানিবাস |

খ। টার্মস অব রেফারেন্স।

- (১) ডিওএইচএস এর প্লট/ফ্ল্যাট সংক্রান্ত হস্তান্তর/বিক্রয়, রেজিস্ট্রেশন, হেবা, পাওয়ার অব এ্যাটর্নী ইত্যাদি বিষয়ে প্রাপ্ত অভিযোগের প্রাথমিক শুনানী ও সমাধান করা।
- (২) ডিওএইচএস এর প্লট অথবা প্লটসহ বাড়ি হস্তান্তরের ক্ষেত্রে কেস টু কেস ভিত্তিতে সিদ্ধান্ত প্রদান করা।
- (৩) অসমাধানকৃত বিষয়/অভিযোগসমূহ ডিওএইচএস সেন্ট্রাল কমিটি/ ডিওএইচএস এ্যাডভাইজারি কমিটি/যথাযথ সাব-কমিটিতে প্রেরণ করা।
- (৪) নিজস্ব পরিধির আলোকে অন্যান্য ডিওএইচএস সংক্রান্ত বিষয়ের সমাধান প্রদান করা।
- (৫) সভাপতির অনুমোদনক্রমে ত্রৈমাসিক ভিত্তিতে সভা অনুষ্ঠিত করা।

২। ডেভেলপমেন্ট সাব-কমিটি।

ক। সংগঠন।

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| (১) | সভাপতি | - কোয়ার্টার মাস্টার জেনারেল, বাংলাদেশ সেনাবাহিনী |
| (২) | সদস্য | - পরিচালক, চলাচল ও বাসস্থান পরিদপ্তর, সেনাসদর |
| | | - সংশ্লিষ্ট স্টেশন কমান্ডার |
| | | - পূর্ত পরিচালক, নৌ সদর দপ্তর |
| | | - পূর্ত পরিচালক, বিমান সদর দপ্তর |
| | | - কমান্ডার, ১৪ স্বতন্ত্র ইঞ্জিনিয়ার ব্রিগেড |

- সংশ্লিষ্ট ক্যান্টনমেন্ট এক্সিকিউটিভ অফিসার
- ইঞ্জিনিয়ার, সংশ্লিষ্ট ক্যান্টনমেন্ট বোর্ড
- সচিব, সকল ডিওএইচএস পরিষদ
- প্রতিনিধি, সকল সেবা প্রদানকারী প্রতিষ্ঠানসমূহ
- (৩) সমন্বয়কারী প্রতিষ্ঠান - সংশ্লিষ্ট ক্যান্টনমেন্ট বোর্ড

খ। টার্মস অব রেফারেন্স ।

- (১) ডিওএইচএস এলাকার অভ্যন্তরে সকল প্রকার অবকাঠামোর পরিকল্পনা, উন্নয়ন এবং রক্ষণাবেক্ষণ করা।
- (২) ডিওএইচএস এলাকার নাগরিক সুবিধাদি প্রদানকারী সকল সংস্থার সাথে প্রয়োজনীয় সমন্বয় করা ।
- (৩) ডিওএইচএস এলাকার অভ্যন্তরে ভূমির প্রাকৃতিক দৃশ্য পরিকল্পনা ও বাস্তবায়নের মাধ্যমে বৃক্ষরোপন এবং সৌন্দর্য্যবর্ধন করা ।
- (৪) ডিওএইচএস এলাকার অভ্যন্তরে নাগরিক সুবিধাদি, যেমনঃ পার্ক, খেলার মাঠ, মসজিদ, সুইমিং পুল, শপিং কমপ্লেক্স ইত্যাদির প্রয়োজনীয়তা চিহ্নিতকরণ, পরিকল্পনা এবং বাস্তবায়ন করা ।
- (৫) প্রয়োজন সাপেক্ষে সভাপতির অনুমোদনক্রমে সভা অনুষ্ঠিত করা ।

৩। প্ল্যানিং সাব-কমিটি ।

ক। সংগঠন ।

- (১) সভাপতি - কোয়ার্টার মাস্টার জেনারেল, বাংলাদেশ সেনাবাহিনী
- (২) সদস্য - মহাপরিচালক, সামরিক ভূমি ও সেনানিবাস অধিদপ্তর
- পরিচালক, চলাচল ও বাসস্থান পরিদপ্তর, সেনাসদর
- পূর্ত পরিচালক, নৌ সদর দপ্তর
- পূর্ত পরিচালক, বিমান সদর দপ্তর
- সংশ্লিষ্ট সামরিক ভূ-সম্পত্তি প্রশাসক
- সংশ্লিষ্ট ক্যান্টনমেন্ট এক্সিকিউটিভ অফিসার
- সভাপতি, ডিওএইচএস পরিষদ
- (৩) সমন্বয়কারী প্রতিষ্ঠান - সামরিক ভূমি ও সেনানিবাস অধিদপ্তর, ঢাকা সেনানিবাস

খ। টার্মস অব রেফারেন্স ।

- (১) ডিওএইচএস কমিটির নির্দেশনা অনুযায়ী নতুন ডিওএইচএস বাস্তবায়নের লক্ষ্যে জমি চিহ্নিত ও অধিগ্রহণের প্রয়োজনীয় ব্যবস্থা নিশ্চিত করা ।
- (২) নতুন ডিওএইচএস বাস্তবায়নের জন্য মাস্টার প্ল্যান তৈরী করা ।
- (৩) ডিওএইচএস কমিটির নির্দেশনা অনুযায়ী নীতিমালার আওতায় দরখাস্তকারীদের যোগ্যতা নির্ধারণ নিশ্চিত করা ।
- (৪) প্লট বরাদ্দের জন্য দরখাস্ত আহবান, যাচাই-বাছাই এবং চূড়ান্ত নির্বাচন নিশ্চিত করা ।
- (৫) লটারীর মাধ্যমে নির্বাচিত ব্যক্তিদের বরাদ্দপত্র ইস্যু করা ।
- (৬) প্রয়োজন সাপেক্ষে সভাপতির অনুমোদনক্রমে সভা অনুষ্ঠিত করা ।

৪। ভিজিল্যান্স সাব-কমিটি ।

ক। সংগঠন ।

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| (১) | সভাপতি | - | সংশ্লিষ্ট এরিয়া কমান্ডার |
| (২) | সদস্য | - | সংশ্লিষ্ট স্টেশন কমান্ডার |
| | | - | প্রতিনিধি, সেনাসদর |
| | | - | প্রতিনিধি, নৌ সদর দপ্তর |
| | | - | প্রতিনিধি, বিমান সদর দপ্তর |
| | | - | সচিব, সকল ডিওএইচএস পরিষদ |
| | | - | ক্যান্টনমেন্ট এক্সিকিউটিভ অফিসার |
| | | - | ইঞ্জিনিয়ার, ক্যান্টনমেন্ট বোর্ড |
| (৩) | সমন্বয়কারী প্রতিষ্ঠান | - | এরিয়া সদর দপ্তর |

খ। টার্মস অব রেফারেন্স ।

- (১) অবৈধ অননুমোদিত নির্মাণ সনাক্ত করা এবং ক্যান্টনমেন্ট বোর্ডকে অবহিতসহ প্রয়োজনীয় কার্যক্রম নিশ্চিত করা ।
- (২) অবৈধ অননুমোদিত নির্মাণ অপসারণ/ভাংগার প্রয়োজনীয় কার্যকরী ব্যবস্থা গ্রহণ করা ।
- (৩) ডিওএইচএস এর অভ্যন্তরে অননুমোদিত স্থাপনাসমূহ (যেমন টাওয়ার, ছাদের উপর অবৈধ নির্মাণ ইত্যাদি) অপসারণের কার্যকরী ব্যবস্থা গ্রহণ ।
- (৪) অননুমোদিত নির্মাণের জন্য জরিমানা নির্ধারণ করা ।
- (৫) ডিওএইচএস এর অভ্যন্তরে সকল প্রকার অসামাজিক কাজ চিহ্নিত, প্রতিরোধ এবং অপসারণ করা ।
- (৬) প্রয়োজন সাপেক্ষে সভাপতির অনুমোদনক্রমে সভা অনুষ্ঠিত করা ।

৫। নিরাপত্তা সাব-কমিটি।

ক। সংগঠন।

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| (১) | সভাপতি | - | সংশ্লিষ্ট স্টেশন কমান্ডার |
| (২) | সদস্য | - | এএএন্ডকিউএমজি, সংশ্লিষ্ট এরিয়া সদর দপ্তর |
| | | - | প্রতিনিধি, নৌ সদর দপ্তর |
| | | - | প্রতিনিধি, বিমান সদর দপ্তর |
| | | - | সচিব, সকল ডিওএইচএস পরিষদ |
| (৩) | সমন্বয়কারী প্রতিষ্ঠান | - | সংশ্লিষ্ট স্টেশন সদর দপ্তর |

খ। টার্মস অব রেফারেন্স।

- (১) ডিওএইচএস এর নিরাপত্তার জন্য হুমকিসমূহ সনাক্ত করা।
- (২) ডিওএইচএস এর নিরাপত্তা নিশ্চিত করার জন্য সকল প্রকার প্রয়োজনীয় ব্যবস্থা নিশ্চিত করা।
- (৩) ডিওএইচএস এর সকল প্রকার অবৈধ অনুপ্রবেশসমূহ সনাক্ত এবং নিরাপত্তা প্রহরী নিশ্চিত করা।
- (৪) ডিওএইচএস এর অভ্যন্তরে আধুনিক প্রযুক্তির নিরাপত্তা ব্যবস্থাসমূহ নিশ্চিতকরণের সুপারিশ করা।
- (৫) ডিওএইচএস এর অভ্যন্তরে সংগঠিত অপরাধমূলক কর্মকাণ্ড তদন্ত এবং কার্যকরী ব্যবস্থা গ্রহণ করা।
- (৬) সকল প্রকার অবৈধ অনুপ্রবেশ প্রতিরোধ করা।
- (৭) ভিজিল্যান্স সাব-কমিটির সাথে যৌথভাবে ডিওএইচএস এর অভ্যন্তরে সংগঠিত অসামাজিক কর্মকাণ্ড সনাক্ত এবং অপসারণ/উচ্ছেদের কার্যকরী ব্যবস্থা গ্রহণ করা।
- (৮) প্রয়োজন সাপেক্ষে সভাপতির অনুমোদনক্রমে সভা অনুষ্ঠিত করা।

৬। আরবিট্রেশান সাব-কমিটি।

ক। সংগঠন।

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| (১) | সভাপতি | - | সহকারী নৌ বাহিনী প্রধান |
| (২) | সদস্য | - | প্রতিনিধি, সেনাসদর |
| | | - | প্রতিনিধি, বিমান সদর দপ্তর |
| | | - | সচিব, সকল ডিওএইচএস পরিষদ |
| | | - | সামরিক ভূ-সম্পত্তি প্রশাসক, কেন্দ্রীয় সার্কেল, ঢাকা সেনানিবাস |
| | | - | ক্যান্টনমেন্ট এক্সিকিউটিভ অফিসার, ঢাকা সেনানিবাস |
| (৩) | সমন্বয়কারী প্রতিষ্ঠান | - | সামরিক ভূ-সম্পত্তি প্রশাসন দপ্তর, সেন্ট্রাল সার্কেল, ঢাকা সেনানিবাস |

খ। টার্মস অব রেফারেন্স ।

- (১) ডিওএইচএস পরিষদের সুপারিশ অনুযায়ী ডিওএইচএস এর অভ্যন্তরে প্লট মালিক, ডেভেলপার, ফ্ল্যাট ক্রেতাদের সাথে সকল প্রকার বিরোধ নিষ্পত্তি করা ।
- (২) ডিওএইচএস পরিষদের সুপারিশ অনুযায়ী ডিওএইচএস এর অভ্যন্তরে ফ্ল্যাট হস্তান্তরের সকল প্রকার জটিলতা নিষ্পত্তি করা ।
- (৩) ডিওএইচএস পরিষদের সুপারিশ অনুযায়ী ডিওএইচএস এর অভ্যন্তরে ভাড়াটিয়া/প্রতিবেশীদের সাথে সকল প্রকার বিরোধ নিষ্পত্তি করা ।
- (৪) অনিষ্পন্ন বিষয়সমূহ পিটিশন সাব-কমিটির মাধ্যমে সমাধানের নিমিত্তে প্রেরণ করা অথবা পিটিশন সাব-কমিটি কর্তৃক নির্দেশনা প্রাপ্ত হয়ে কোন বিষয়াদির নিষ্পত্তি করা ।
- (৫) প্রয়োজন সাপেক্ষে সভাপতির অনুমোদনক্রমে সভা অনুষ্ঠিত করা ।

৭। লিগ্যাল সাব-কমিটি ।

ক। সংগঠন ।

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| (১) সভাপতি | - সহকারী বিমান বাহিনী প্রধান | । |
| (২) সদস্য | - প্রতিনিধি, চলাচল ও বাসস্থান পরিদপ্তর, সেনাসদর | । |
| | - প্রতিনিধি, নৌ সদর দপ্তর | । |
| | - সামরিক ভূ-সম্পত্তি প্রশাসক, কেন্দ্রীয় সার্কেল, ঢাকা সেনানিবাস | ৫ |
| | - প্রতিনিধি, সামরিক ভূমি ও সেনানিবাস অধিদপ্তর | । |
| | - আইন উপদেষ্টা, ক্যান্টনমেন্ট বোর্ড, ঢাকা সেনানিবাস | ৫ |
| (৩) সমন্বয়কারী প্রতিষ্ঠান | - সামরিক ভূ-সম্পত্তি প্রশাসন, কেন্দ্রীয় সার্কেল, ঢাকা সেনানিবাস | ন |

খ। টার্মস অব রেফারেন্স ।

- (১) ডিওএইচএস সংক্রান্ত যে কোন আইনী বিষয়ে বিরোধ নিষ্পত্তি তদারকি করা ।
- (২) ডিওএইচএস সংক্রান্ত যে কোন নীতিমালা/বাইলজ ইত্যাদি ক্ষেত্রে আইন বিষয়ে মতামত প্রদান ।
- (৩) ডিওএইচএস প্লট/ফ্ল্যাট ইত্যাদি বিরোধ ও সংগঠিত অপরাধ সম্পর্কে আরবিট্রেশন সাব-কমিটি, নিরাপত্তা সাব-কমিটিকে পরামর্শ প্রদান ।
- (৪) প্রয়োজন সাপেক্ষে সভাপতির অনুমোদনক্রমে সভা অনুষ্ঠিত করা ।

ANNEXURE D

(Referred to in Article 70)

Application of the Cantonment Ain, 2018

(Act No - xxvii of 2018)

অধ্যায়-১৩

যৌন অনৈতিকতা দমন এবং অবাস্তিত ব্যক্তিগণকে বহিস্কার

১৭৩। পতিতালয় এবং পতিতাদের অপসারণের ক্ষমতা।—(১) যদি স্টেশন কমান্ডার, এই মর্মে সংবাদ প্রাপ্ত হন যে, ক্যান্টনমেন্টের কোনো ইমারত পতিতালয় হিসাবে বা পতিতাবৃত্তির উদ্দেশ্যে ব্যবহৃত হইতেছে, তাহা হইলে তিনি, প্রাপ্ত সংবাদের সারসংক্ষেপ উল্লেখ করিয়া লিখিত আদেশ দ্বারা, উক্ত ইমারতের মালিক, ইজারাদার, ভাড়াটিয়া বা দখলদারকে তাহার সম্মুখে, ব্যক্তিগতভাবে বা কোনো প্রতিনিধির মাধ্যমে, হাজির হইবার জন্য তলব করিতে পারিবেন এবং যদি স্টেশন কমান্ডার উক্ত সংবাদের সত্যতা সম্পর্কে সন্নিহিত হন, তাহা হইলে তিনি, লিখিত আদেশক্রমে, উক্ত মালিক, ইজারাদার, ভাড়াটিয়া বা, ক্ষেত্রমত, দখলদারকে, আদেশে উল্লিখিত সময়ের মধ্যে, ইমারতের এইরূপ ব্যবহার বন্ধ করিবার জন্য নির্দেশ প্রদান করিতে পারিবেন।

(২) কোনো ব্যক্তি ক্যান্টনমেন্টের অভ্যন্তরে পতিতাবৃত্তি করিবে না বা তদুদ্দেশ্যে ইতস্তত চলাফেরা করিয়া বেড়াইবে না বা যৌন অনৈতিকতা সংঘটিত করিবার জন্য অংগভংগি করিয়া কাউকে উত্থাপিত করিবে না।

(৩) যদি কোনো ব্যক্তি উপ-ধারা (১) এর নির্দেশ অমান্য করেন, তাহা হইলে তিনি অনূন্য ৫ (পাঁচ) হাজার টাকা এবং অনধিক ২০ (বিশ) হাজার টাকা অর্থদণ্ডে দণ্ডিত হইবেন এবং উপধারা (২) এর বিধান লঙ্ঘন করিলে অনূন্য ১ (এক) হাজার টাকা এবং অনধিক ৫ (পাঁচ) হাজার টাকা অর্থদণ্ডে দণ্ডিত হইবেন।

১৭৪। অসংযত ব্যক্তিগণকে বহিস্কার।—(১) ক্যান্টনমেন্টে বসবাসকারী বা ঘনঘন যাতায়াতকারী কোনো ব্যক্তি যদি এমন একজন অসংযত ব্যক্তি হন যিনি—

(ক) একাধিকবার জুয়া খেলার অপরাধে শাস্তি প্রাপ্ত হইয়াছেন বা যিনি একটি সাধারণ জুয়াখানা চালান বা ঘনঘন জুয়াখানায়, কোনো অসংযত মদের দোকান বা যে কোনো ধরনের অসংযত বাড়িতে যাতায়াত করেন; বা

(খ) একাধিকবার কোনো আইনের অধীন শাস্তিযোগ্য অপরাধে শাস্তি প্রাপ্ত হইয়াছেন;

তাহা হইলে এক্সিকিউটিভ অফিসার প্রাপ্ত সংবাদের সার-সংক্ষেপ লিখিতভাবে রেকর্ড করিবেন এবং এইরূপ ব্যক্তিকে হাজির হইবার জন্য এবং এই মর্মে কারণ দর্শানোর জন্য সমন জারি করিবেন যে কেন তাহাকে ক্যান্টনমেন্ট হইতে অপসারণ করা হইবে না এবং উহাতে পুনরায় প্রবেশের উপর নিষেধাজ্ঞা জারি করা হইবে না।

(২) উপধারা (১) এর অধীন জারিকৃত সমনের সহিত পূর্বে বর্ণিত রেকর্ডের একটি কপি যুক্ত থাকিবে এবং এক কপি সমনসহ সেই ব্যক্তির বিরুদ্ধে উহা জারি করা হইয়াছে তাহাকে প্রদান করা হইবে।

(৩) উপধারা (১) এর অধীন জারিকৃত সমনের প্রেক্ষিতে সমন প্রাপ্ত ব্যক্তি এক্সিকিউটিভ অফিসারের সামনে হাজির হওয়ার পর তিনি প্রাপ্ত সংবাদের সত্যতা যাচাই শুরু করিবেন এবং তিনি যেরূপ সঠিক মনে করেন সেইরূপ অধিকতর সাক্ষ্য গ্রহণ করিবেন এবং এইরূপ তদন্তের পর, যদি তাহার নিকট প্রতীয়মান হয় যে, উক্ত ব্যক্তি উপধারা (১) এ বর্ণিত যে কোনো ধরনের একজন ব্যক্তি এবং ক্যান্টনমেন্টে সুষ্ঠু পরিবেশ বজায় রাখিবার স্বার্থে উক্ত ব্যক্তিকে উহা হইতে অপসারণ করা এবং ক্যান্টনমেন্টে পুনঃ প্রবেশ করা হইতে নিষেধ করা প্রয়োজন, তাহা হইলে এক্সিকিউটিভ

অফিসার বিষয়টি স্টেশন কমান্ডারের নিকট রিপোর্ট করিবেন এবং যদি স্টেশন কমান্ডার সেইরূপ নির্দেশ প্রদান করেন, তাহা হইলে উক্ত ব্যক্তির উপর লিখিতভাবে একটি আদেশ প্রদান করিবার ব্যবস্থা করিবেন যাহাতে তাহাকে নোটিশে বর্ণিত সময়ের মধ্যে ক্যান্টনমেন্ট ত্যাগ করিতে হইবে এবং স্টেশন কমান্ডারের লিখিত অনুমতি ব্যতিরেকে পুনরায় উহাতে প্রবেশ করার উপর নিষেধাজ্ঞা জারি করা হইবে।

১৭৫। অন্তর্ধাতি ব্যক্তিগণের বহিস্কার।—(১) যদি ক্যান্টনমেন্টের অভ্যন্তরে অবস্থান বা বসবাস করিয়া কোনো ব্যক্তি এইরূপ কোনো কিছু ঘটান বা ঘটানোর চেষ্টা করেন বা এমন কোনো কাজ করেন যাহা বাংলাদেশ সশস্ত্র বাহিনীর কোনো অংশের মধ্যে আনুগত্যহীনতা, সৌন্দর্যহানি বা শৃঙ্খলা ভংগ করিতে পারে বলিয়া স্টেশন কমান্ডার জ্ঞাত থাকেন বা তিনি এইরূপ ব্যক্তি যিনি এইরূপ করিতে পারেন বলিয়া তাহার বিশ্বাস করিবার কারণ রহিয়াছে, তাহা হইলে তিনি লিখিতভাবে কারণসমূহ বিধৃত করিয়া একটি আদেশ প্রদান করিতে পারিবেন এবং আদেশে নির্দিষ্ট সময়ের মধ্যে উক্ত ব্যক্তিকে ক্যান্টনমেন্ট হইতে অপসারিত হওয়া এবং স্টেশন কমান্ডারের লিখিত অনুমতি ব্যতিরেকে পুনরায় উহাতে প্রবেশের উপর নিষেধাজ্ঞা বর্ণিত থাকিবে:

তবে শর্ত থাকে যে, এই ধারার অধীন কোনো ব্যক্তির বিরুদ্ধে কোনো আদেশ প্রদান করা হইবে না যতক্ষণ পর্যন্ত না তাহাকে প্রস্তাবিত আদেশের কারণসমূহ সম্পর্কে জ্ঞাত হইবার যুক্তিযুক্ত সুযোগ প্রদান করা হয় এবং কেন উক্ত আদেশ করা হইবে না তাহার কারণ দর্শাইতে বলা হয়।

(২) উপধারা (১) এর অধীন প্রদত্ত প্রত্যেক আদেশ জেলা পুলিশ প্রধান বা, ক্ষেত্রমত, মহানগর পুলিশ প্রধানের নিকট প্রেরণ করা হইবে, যিনি উহার একটি কপি সংশ্লিষ্ট ব্যক্তির নিকট পৌঁছানোর ব্যবস্থা করিবেন।

(৩) উপধারা (১) এর অধীন কোনো আদেশ প্রদানের পর স্টেশন কমান্ডার তাৎক্ষণিকভাবে উহার একটি কপি এরিয়া কমান্ডারের নিকট প্রেরণ করিবেন।

(৪) ক্যান্টনমেন্টের অভ্যন্তরে অবস্থান বা বসবাস করে না এইরূপ কোনো ব্যক্তি যদি এমন কোনো কিছু ঘটনা ঘটান বা ঘটানোর চেষ্টা করেন বা এমন কোনো কাজ করেন যাহা বাংলাদেশ সশস্ত্র বাহিনীর কোনো অংশের মধ্যে আনুগত্যহীনতা, সৌন্দর্যহানি বা শৃঙ্খলা ভংগ করিতে পারে বলিয়া স্টেশন কমান্ডার জ্ঞাত থাকেন বা এইরূপ করিতে পারেন বলিয়া তাহার বিশ্বাস করিবার কারণ রহিয়াছে, তাহা হইলে স্টেশন কমান্ডার একটি আদেশ প্রদানের মাধ্যমে উক্ত ব্যক্তিকে স্টেশন কমান্ডারের লিখিত অনুমতি ব্যতিরেকে ক্যান্টনমেন্ট এলাকায় প্রবেশের উপর নিষেধাজ্ঞা জারি করিতে পারিবেন।

২১৩। সামরিক আবাসিক প্রকল্প। (১) ক্যান্টনমেন্ট সংলগ্ন অথবা অন্য কোনো এলাকায় যদি সরকারিভাবে তদুদ্দেশ্যে ভূমি অধিগ্রহণ বা আইনানুগভাবে অন্য কোনো উপায়ে ভূমি গ্রহণ করিয়া উহাতে আবাসিক প্রকল্প প্রস্তুত করা হয় এবং কর্মরত ও অবসরপ্রাপ্ত সামরিক অফিসারগণকে, সীমিত সংখ্যক প্রতিরক্ষা খাতভুক্ত অসামরিক অফিসারসহ বা ব্যতিরেকে, উক্ত প্রকল্পে প্লট বা ফ্ল্যাট চিরস্থায়ী ইজারার ভিত্তিতে বরাদ্দ প্রদান করা হয়, তাহা হইলে উহা সামরিক আবাসিক প্রকল্প হিসাবে গণ্য হইবে।

(২) এই ধারার অধীন সামরিক আবাসিক প্রকল্প এবং উহার সংশ্লিষ্ট এলাকা ক্যান্টনমেন্ট বা ক্যান্টনমেন্টের অংশ হইবে। এই আইনের উদ্দেশ্য পূরণকল্পে কোন সামরিক আবাসিক প্রকল্পের সংশ্লিষ্ট এলাকায় পৌর-সুবিধাদি ক্যান্টনমেন্ট বোর্ড কর্তৃক প্রদান করা হইবে। তবে ক্যান্টনমেন্ট হইতে বিচ্ছিন্ন এবং দূরবর্তী সামরিক আবাসিক প্রকল্প এলাকায় সংগত কারণে ক্যান্টনমেন্ট বোর্ড কর্তৃক কোন পৌর-সুবিধাদি প্রদান করা সম্ভব না হইলে, সেই ক্ষেত্রে নিকটবর্তী স্থানীয় সরকারের পৌর ব্যবস্থা হইতে উক্ত সুবিধা, প্রাপ্তি সাপেক্ষে, প্রযোজ্য নির্দিষ্ট করের বিনিময়ে গ্রহণ করা যাইবে।

(৩) কোন সামরিক আবাসিক প্রকল্পে পৌর-সুবিধাদি ক্যান্টনমেন্ট বোর্ড কর্তৃক প্রদান করা হইলে, প্রদত্ত পৌর-সুবিধাদির বিনিময়ে প্রাপ্য করসমূহের পরিমাণ, যতদূর সম্ভব, অসামরিক পৌর-কর্তৃপক্ষ কর্তৃক নিকটতম অসামরিক আবাসিক এলাকার জন্য অনুরূপ বিষয়ে ধার্য পৌর-করের সমপরিমাণ হইবে :

তবে শর্ত থাকে যে, উপধারা (১) এ উল্লেখিত সামরিক আবাসিক প্রকল্পে চিরস্থায়ী ইজারার ভিত্তিতে বরাদ্দপ্রাপ্ত প্লট বা ফ্ল্যাটের মূল গ্রহীতার মালিকানা অপরিবর্তিত থাকিলে, কিংবা দান বা হেবা মূলে কোনো এক বা একাধিক সম্ভাব্য উত্তরাধিকারীকে বরাদ্দপ্রাপ্ত প্লট বা ফ্ল্যাট হস্তান্তর করা হইলে কিংবা মূল গ্রহীতার মৃত্যুর কারণে বরাদ্দপ্রাপ্ত প্লট বা ফ্ল্যাট উত্তরাধিকার আইন অনুযায়ী উত্তরাধিকারীগণের উপর বর্তিত হইলে, তিনি বা, ক্ষেত্রমত, তাহারা ক্যান্টনমেন্ট বোর্ড কর্তৃক ধার্যকৃত স্বাভাবিক করসমূহের অনূর্ধ্ব ৭৫% (পঁচাত্তর শতাংশ) পর্যন্ত রেয়াত সুবিধা প্রাপ্ত হইতে পারিবেন।

আরও শর্ত থাকে যে, উপধারা (১) এ উল্লেখিত সামরিক আবাসিক প্রকল্পে চিরস্থায়ী ইজারার ভিত্তিতে বরাদ্দপ্রাপ্ত প্লট বা ফ্ল্যাট যদি কোনো কর্মরত বা অবসরপ্রাপ্ত সামরিক কর্মচারী মূল গ্রহীতার নিকট হইতে খরিদ করিয়া মালিকানা অর্জন করেন, তাহা হইলে, তাহার মালিকানা অপরিবর্তিত থাকিলে, কিংবা দান বা হেবা মূলে কোনো এক বা একাধিক সম্ভাব্য উত্তরাধিকারীকে তিনি উক্ত প্লট বা ফ্ল্যাট হস্তান্তর করিলে কিংবা তাহার মৃত্যুর কারণে উক্ত প্লট বা ফ্ল্যাট উত্তরাধিকার আইন অনুযায়ী তাহার উত্তরাধিকারীগণের উপর বর্তিত হইলে, তিনি বা, ক্ষেত্রমত, তাহারাও ক্যান্টনমেন্ট বোর্ড কর্তৃক ধার্যকৃত স্বাভাবিক করসমূহের অনূর্ধ্ব ৭৫% (পঁচাত্তর শতাংশ) পর্যন্ত রেয়াত সুবিধা প্রাপ্ত হইতে পারিবেন।

(৪) সংশ্লিষ্ট ক্যান্টনমেন্ট বোর্ড, উপধারা (৩) এর অধীন ধার্যকৃত পৌর-করসমূহ প্রতি ৩ (তিন) বৎসর অন্তর পুনর্মূল্যায়নপূর্বক, আবশ্যিক ক্ষেত্রে পুনঃনির্ধারণ করিয়া, মহাপরিচালকের মতামত এবং সরকারের অনুমোদন গ্রহণপূর্বক, গেজেট বিজ্ঞপ্তি জারি করিবে; এবং বিজ্ঞপ্তির অনুলিপি প্রশাসনিক মন্ত্রণালয় ও অভ্যন্তরীণ সম্পদ বিভাগে প্রেরণ করিবে।

(৫) সামরিক আবাসিক প্রকল্প প্রণয়নের সময় জমির শাস্ত্রীয় ব্যবহারের প্রতি সর্বাধিক গুরুত্বারোপ করিতে হইবে এবং সীমিত জমিতে বহুতল ভবন নির্মাণ করিয়া ফ্ল্যাট বরাদ্দের প্রতি অধিকতর গুরুত্বারোপ করিতে হইবে অথবা জমির একটি প্লট অধিক সংখ্যক ব্যক্তিকে যৌথভাবে বরাদ্দ প্রদান করিয়া বহুতল ভবন নির্মাণ করিতে উৎসাহিত করিতে হইবে।

(৬) সামরিক আবাসিক প্রকল্পের প্লট এবং ফ্ল্যাট মালিকগণ প্রকল্পের ব্যবস্থাপনায় প্রয়োজনে আবাসন পরিষদ গঠন করিতে পারিবেন এবং উক্ত পরিষদ ইহার ব্যবস্থাপনা কার্যাদি সম্পাদনের ক্ষেত্রে প্রতিরক্ষা মন্ত্রণালয় কর্তৃক গঠিত সামরিক আবাসিক প্রকল্প সম্পর্কিত কেন্দ্রীয় কমিটির নিকট দায়বদ্ধ থাকিবে।

— সমাপ্ত —