

JALLIANWALA BAGH NATIONAL MEMORIAL ACT, 1951

25 of 1951

[1st May, 1951]

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"On the 27th December, 1919, the Indian National Congress passed a resolution at Amritsar that the Jallianwala Bagh be acquired with a view to raising a memorial therein and perpetuating the memory of those who were killed or wounded in that place on the 13th April, 1919. In pursuance of this resolution the Jallianwala Bagh Memorial Fund was started in 1919 and, out of the major portion of the subscriptions collected the site of the Jallianwala Bagh was acquired. Trustees were appointed in whom the property so acquired and the fund so collected were vested. Shri Jawaharlal Nehru and Sardar Vallabhbhai Patel are the present Trustees. The object of this Bill is to place the Trust on a permanent statutory basis, establish a body corporate to be known as the Trustees of the Jallianwala Bagh National Memorial transfer to that body all the property and funds now vesting in the present Trustees and confer upon that body all necessary powers for carrying out the objects of the Trust".- Gazette of India, 9-12-1950, Pt. II, S. 2, p. 397.

1. Short title :-

This Act may be called the Jallianwala Bagh National Memorial Act, 1951.

2. Definitions :-

In this Act, unless the context otherwise requires,-

(a) "Memorial" means the Jallianwala Bagh National Memorial to perpetuate the memory of those killed or wounded on the 13th day of April, 1919, on the

site known as the Jallianwala Bagh, Amritsar;

(b) "Trust" means the Trust for the erection and management of the Memorial;

(c) "Trustees" means the Trustees of the Jallianwala Bagh National Memorial.

3. Objects of the Trust :-

The objects of the Trust shall be-

(a) to erect and maintain suitable buildings, structures and parks at or near the site of the Jallianwala Bagh in the city of Amritsar, to perpetuate the memory of those who were killed or wounded on the 13th day of April, 1919, on the said site;

(b) to acquire lands, buildings and other properties for the purposes of the Trust; and

(c) to raise and receive funds for the purposes of the Memorial.

4. Trustees of the Jallianwala Bagh National Memorial :-

(1) The Trustees of the Jallianwala Bagh National Memorial shall be the following namely:-

(a) Shri Jawaharlal Nehru,

(b) Dr. Saifuddin Kitchlew,

(c) Maulana Abdul Kalam Azad,

(d) the President of the Indian National Congress,

(e) the Governor of the State of Punjab

(f) the Chief Minister of the State of Punjab, and

(g) three persons nominated by the Central Government.

(2) The Trustees shall be a body corporate with perpetual succession by the name of the "Trustees of the Jallianwala Bagh National Memorial" and a common seal; and in that name shall sue and be sued, and shall have power to acquire and hold property to enter into contracts and to do all acts necessary for, and consistent with, the purposes of this Act.

5. Term of office of Trustees :-

(1) The three Trustees mentioned in clauses (a), (b) and (c) of sub-section (1) of section 4 shall be Trustees for life.

(2) Every Trustee nominated under clause (g) of the said sub-section shall be a Trustee for a period of five years, and shall be eligible for renomination.

6. Property vested in Trustees :-

All the property and funds set out in the Schedule to this Act and all other property, whether movable or immovable, which may hereafter be given, bequeathed or otherwise transferred for the purposes of the Memorial or acquired for the said purposes shall vest in the Trustees.

7. Power of Trustees to appoint committee of management :-

(1) For the purposes of managing the affairs of the Trust, the Trustees may, by resolution passed at a meeting, appoint a committee of management, and entrust to it such powers, duties and functions, under such directions and limitations, as may be defined by such resolution.

(2) The Trustees may appoint any persons as members of the committee of management, whether such persons are Trustees or not, and may, from time to time, vary or rescind any resolution passed by it under this section.

8. Validity of acts of Trustees not to be questioned by reason of vacancy, etc :-

No act of the Trustees shall be deemed to be invalid merely by reason of any vacancy in, or any defect in the constitution of, the body of Trustees.

9. Power to make rules :-

(1) The Central Government may, by notification in the Official Gazette, make rules¹ to carry out the objects of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for-

(a) the manner in which funds belonging to the Memorial shall be kept, deposited or invested;

(b) the mode of authentication of orders for payment of money by the Trustees;

(c) the form in which accounts shall be kept by the Trustees and the audit and publication of such accounts;

(d) the laying out, erection, improvement, maintenance and management of the Memorial and the care and custody of the properties thereof;

(e) the conditions under which the public shall have access to the Memorial or particular parts thereof and the regulation of the conduct of persons entering the precincts of the Memorial;

(f) the preservation of, and the prevention of injury to or interference with any property vested in the Trustees and the prevention of persons from trespassing into any particular part of the Memorial.

(3) A rule made under this section may provide that a breach of any rule made under clauses (e) and (f) of sub-section (2) shall be punishable with fine which may extend to one hundred rupees.

1. For the Jallianwala Bagh National Memorial Rules 1952, See Gazette of India, 1962, Pt. II. S. 3. p. 1484.

10. Power of Trustees to make regulations :-

The trustees may make regulations consistent with this Act for all or any of the following purposes, namely :-

(a) the manner in which meetings of the Trustees shall be convened, the quorum for the transaction of any business thereat and the procedure at such meetings;

(b) the manner in which a majority decision of the Trustees shall be obtained by circulation to the Trustees of the matter requiring decision;

(c) the term of office of members of the committee of management, their powers and duties, and the circumstances in which and the conditions subject to which such powers and duties may be exercised;

(d) The appointment of such officers and servants as may be necessary for the purposes of the Trust, and their terms and conditions of service.

SCHEDULE 1

IMMOVABLE PROPERTIES

] \ \ \ \ PART 1 \ \ \ 1. The piece of land known as the Jallianwala Bagh, Amritsar, measuring 49 kanals 17 marlas, that is to say, $6 \frac{37}{160}$ acres or thereabouts. 2. Two pieces of land, one measuring 49' by 31 feet or thereabouts, and the other 35 by 9 'A yards on the east and by 8 yards on the west or thereabouts, and conveyed to the then Trustees of the Memorial by a deed of sale registered on the 20th September, 1920 as No. 5960, Bahi No. 1, Volume No. 1572, pages 19 to 46 of the office of the Registrar, Amritsar. 3. All the buildings and other structures standing on the lands referred to in items 1 and 2 above. \ \ \ \ PART 2 \ \ \ \ MOVABLE PROPERTIES

Item Description of Investments \ Amount No \ \ \ \ \ \ \ \ \ \ \ \ \ \ \

\ \ \ \ \ \ \ \ \ \ Rs. a, p. 1. Government of Madras, 3 per cent. loan, 1952, \ No. D.H. 000034 \ \ \ 25,000 0 0 2. Government of Madras, 3 per cent. loan, 1952, \ No. D.H. 000035 \ \ \ 25,000 0 0 3. Fixed Deposit in the Central Bank of India, \ Ltd., Amritsar ... \ 1,10,000 0 0 4. Interest accrued on Item 3 up to 14th November, \ 1950 \ 2,750 0 0 5. \ In current account in the Central Bank of India, \ Ltd., Amritsar \ 6,586 11 6. \ Government of Uttar Pradesh loan, 1960, purchased \ through the Punjab National Bank, Amritsar \ \ 49,675 14 7 Amount placed in sundries in the Punjab National \ Bank, Amritsar \ 47,7000 12.8 8. \ Fixed Deposit in the Bank of Nagpur, Ltd., Wardha, \ under receipt No. 00518 \ \ \ 1,13,270 5.6 9. \ Interest on Item 8 above \ \ \ \ 3,681 4.0 10. \ Fixed Deposit in the Bank of Nagpur, Ltd., Wardha, \ under receipt No. 00519 \ \ \ \ 40,336 13.0 11 Interest on Item 10 above \ \ \ \ 1,310 14.0 12. In current account with Messrs. Bachharaj and Co., \ Ltd. Bombay \ 9,573 6.0 13. Cash in hand on 24th November, 1950 \ \ \ \ 1,872 9.9 14. Moneys due from Government by way of refund of \ Excess income-tax \ Amount not known.