

ACT No. XXII OF 1876.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 17th of
December 1876.)*

An Act to provide for the management of the Public
Museum at Calcutta.

WHEREAS, by Act No. XVII of 1866, reciting Preamble.
that it was expedient to provide for the establishment of a Public Museum at Calcutta, to be called the Indian Museum, it was enacted that the Governor General in Council should cause to be erected at the expense of the Government of India a suitable building in Calcutta, to be devoted in part to collections illustrative of Indian Archæology and of the several branches of Natural History, in part to the preservation and exhibition of other objects of interest, whether historical, physical or economical, in part to the records and offices of the Geological Survey of India, and in part to the fit accommodation of the Asiatic Society of Bengal and to the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that the Government of India should keep the said building in repair and pay and defray the salaries, allowances and pensions of the officers and servants, and all other expenses connected with the said Museum; and by the Act now in recital certain officials and other persons therein mentioned or referred to, to the number of thirteen, and their successors, were constituted a Body Corporate by the name of the Trustees of the Indian Museum, and the said Trustees were empowered to receive bequests, donations and subscriptions, and to deal with the same in the manner
therein

[*Price two annas and nine pies.*]

therein mentioned for the purposes of their trusts therein mentioned; and it was also enacted that the said Trustees should have the exclusive possession, occupation and control, for the purposes of such trusts, of the said building, other than those portions thereof which, upon its completion, should be set apart by the said Trustees for the records and offices of the said Geological Survey and for the accommodation of the said Asiatic Society and the reception of their library, manuscripts, maps, coins, busts, pictures, engravings and other property; and it was also enacted that all officers and servants, salaried or otherwise, employed in the care or management of the trust-property, should be appointed, and might be removed or suspended, by the said Trustees, subject to such regulations and conditions as the said Trustees should think proper; and it was also enacted that the Council of the said Asiatic Society should cause the collections belonging to such Society, and illustrative of Indian Archæology and the several branches of Natural History, and all additions that might be made thereto, to be removed to and deposited in the said building at the expense of the Government of India as soon as the same should be completed so far as to be in a condition to receive the said collections, and that an inventory of the articles in such collections should be made by the said Society, one copy whereof was to be signed by the said Trustees and kept by the said Society, and another copy was to be signed by the said Society and kept by the said Trustees, and that the said Society should continue to have the same exclusive property in and control over their said library, manuscripts, maps, coins, busts, pictures and engravings which they then possessed, and that the Council of the said Society should have the exclusive possession, occupation and control, for the purposes of the said Society, of those portions of the said building which should be set apart for the accommodation of the said Society and the reception of their library and other property thereinbefore mentioned;

And

And whereas the Government of India has caused the said building to be erected, and the Council of the said Society has caused the said collections belonging to the same Society to be removed to and deposited in the said building at the expense of the Government of India; and an inventory of the articles in such collections has been made by the said Society, one copy whereof has been signed by the said Trustees and delivered to the said Society, and another copy has been signed by the Council of the said Society and delivered to the said Trustees;

And whereas the said Trustees have, in pursuance of the said Act, set apart certain portions of the said building for the said records and offices of the Geological Survey of India;

And whereas, in consideration of a sum of one hundred and fifty thousand rupees paid to them by the Government of India, the Council of the said Society has relinquished the exclusive possession, occupation and control secured to them by the said Act, of the portions of the said building which, under the said Act, were to be set apart for the accommodation of the said Society and the reception of their said Library and other property;

And whereas it is expedient to alter the constitution of the said Body Corporate and to amend the law relating to the appointment and salaries of the said officers:

And whereas under the circumstances aforesaid it is expedient to repeal the said Act, and to re-enact it with the modifications hereinafter appearing; It is hereby enacted as follows:—

Preliminary.

1. This Act may be called "The Indian Museum Act, 1876." Short title.

2. Act No. XVII of 1866 (*to provide for the establishment of a Public Museum at Calcutta*) shall be repealed. Repeal of
Act No.
XVII of
1866.

Act

Act as Trustees of the Indian Museum, and all officers and servants appointed under the same Act and now holding office, shall be deemed to have been respectively nominated and appointed under this Act.

Incorporation of the Trustees.

Trustees of the Indian Museum incorporated.

3. The Trustees of the said Indian Museum shall be—

such Secretary to the Government of India as the Governor General in Council from time to time directs in this behalf,

the Accountant General,

five other persons to be nominated by the Government of India in Council,

the President of the Asiatic Society of Bengal and four other Members of the Council of the said Society for the time being, to be nominated by the Council of the said Society,

the Superintendent of the Geological Survey of India, and

three other persons to be elected by the Trustees for the time being and appointed under their common seal ;

and such Trustees and their successors shall, subject to the provisions hereinafter contained, be and are hereby constituted a Body Corporate by the name of the "Trustees of the Indian Museum," and shall have a common seal, and by such name shall have perpetual succession ; and all the powers of the said Corporation may be exercised so long and so often as there shall exist seven Members thereof.

Ex officio
Members.

4. The persons for the time being holding the offices respectively mentioned in section three shall be *ex officio* Members of the said Body Corporate, and shall cease to be such Members respectively upon ceasing to hold the said offices respectively :

Provided that, whenever the said Secretary to the Government of India, Accountant General or Superintendent

intendent of the Geological Survey of India is also the President of the said Society, the Council of the said Society may nominate any other person, being a Member of the said Society, to be a Trustee under this Act so long as such presidency is held by the said Secretary, Accountant General or Superintendent.

5. If any of the said Trustees for the time being dies or is absent from India for more than twelve consecutive months, or desires to be discharged, or refuses or becomes incapable to act, or not having been an *ex officio* Member of the said Body Corporate becomes such, or if any of the Trustees to be nominated by the Council of the said Society ceases to be a Member of such Council, then and in every such case the authority which appoints the Trustee so dying, being absent from India, desiring to be discharged, refusing or becoming incapable to act, or becoming an *ex officio* Member as aforesaid, or ceasing to be such Member of Council as aforesaid, may appoint a new Trustee in his place according to the provisions of section three,

Power to appoint new Trustees.

and every Trustee so appointed shall thereupon become and be a Member of the said Body Corporate as fully and effectually as if he had been hereby constituted a Trustee.

Powers of the Trustees.

6. It shall be lawful for the said Trustees (a) to receive bequests, donations and subscriptions of land, buildings, money and any such objects of interest as aforesaid, and (b) to hold the same and to lay out such money for the maintenance, improvement and enlargement of the collections deposited in, presented to, or purchased for, the said Indian Museum, and otherwise for the purposes of the same Museum ;

Trustees empowered to receive bequests, donations and subscriptions.

and all such collections shall become the property of the said Trustees for the purposes of their trusts herein mentioned ;

and

and the said Trustees shall have the exclusive possession, occupation and control, for the purposes of such trusts, of the whole of the said building, other than those portions thereof which have been set apart by the said Trustees for the records and offices of the Geological Survey of India.

Power to Trustees to make bye-laws.

7. The said Trustees may from time to time make bye-laws consistent with this Act—

- (a) for the management of the said Museum ;
- (b) for the summoning, holding and adjournment of general and special meetings of the said Trustees ;
- (c) for securing their attendance at such meetings ;
- (d) for the provision and keeping of minute-books and account-books ;
- (e) for the compiling of catalogues, and
- (f) for all other purposes necessary for the execution of their trusts.

Power to Trustees to appoint officers and servants.

8. Subject to such regulations and conditions as the Trustees think fit, they shall appoint, and may remove or suspend, all officers and servants, salaried or otherwise, employed in the care or management of the trust-property : provided—

(a) that no officer be appointed without the approval of the Governor General in Council if such officer be, at the date of his appointment, in India, or without the approval of the Secretary of State for India in Council if such officer be not then in India ;

(b) that no new office be created, and no salaries of officers be altered, without the previous sanction of the Governor General in Council.

Trustees may exchange or sell duplicates.

9. The said Trustees may from time to time order any duplicates of printed books, medals, coins, specimens of Natural History or other curiosities deposited in the Indian Museum to be exchanged for manuscripts, books or other objects of interest, or direct any such duplicates to be sold and the money to arise from such sale to be laid out in the purchase of manuscripts, books, maps, medals, coins, specimens of Natural

tural History or other curiosities that may be proper for the said Museum.

10. At all meetings of the said Trustees three shall be a quorum for the transaction of business and for the exercise of any of the powers conferred upon them by this Act. Quorum.

Duties of the Trustees.

11. The said Trustees shall furnish to the Government of India, on or before the first day of December in each year, a report of their several proceedings for the past twelve months, and further shall furnish, on or before the same day in each year, to such Auditor as the Governor General in Council appoints in this behalf, accounts of all moneys expended by the Trustees during the past twelve months, supported by the necessary vouchers. Trustees shall furnish annual reports and accounts.

The said Trustees shall cause such report and accounts to be annually published for general information.

12. The said Trustees shall cause every article in the said collections belonging to the Asiatic Society, and all additions that may hereafter be made thereto otherwise than by purchase under section six, to be marked and numbered, and (subject to the provisions contained in sections nine and fifteen) to be kept and preserved in the said Indian Museum with such marks and numbers; and an inventory of such additions shall be made by the said Society, one copy whereof shall be signed by the said Trustees and delivered to the said Society, and another copy shall be signed by the Council of the said Society and delivered to the said Trustees, and shall be kept by them along with the inventory already delivered to the said Trustees as aforesaid. Collections of Asiatic Society to be kept distinguished in the Museum.

13. All objects taken in exchange under section nine for, and all moneys payable on sale under the same section of, any of such articles, shall be held on trusts and subject to powers and declarations corresponding as nearly as may be with the trusts, Articles received in exchange and moneys paid on sale to be held on trust.

powers

powers and declarations by this Act limited and declared concerning the same articles.

Miscellaneous.

Officers under Act to be public servants. Their salaries, pensions and leave.

14. All officers and servants appointed under this Act shall be considered public servants within the meaning of the Indian Penal Code; and so far as regards their salaries, allowances and pensions and their leave of absence from duty, they shall be subject to the rules for the time being applicable to uncovenanted civil servants of the Government of India.

In case of determination of trust, Asiatic Society may reclaim their collections.

15. In the event of the trust hereby constituted being determined, all collections then in the said Indian Museum, other than those next hereinafter mentioned, shall become the property of the Government of India, and the collections and additions mentioned in section twelve shall become the property of the said Society or their assigns.