

THE VICTORIA MEMORIAL (AMENDMENT) ACT, 1981

No. 32 OF 1981

[17th September, 1981.]

An Act further to amend the Victoria Memorial Act, 1903.

Enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

Short  
title.

1. This Act may be called the Victoria Memorial (Amendment) Act, 1981.

Amend-  
ment of  
section 2.

2. In the Victoria Memorial Act, 1903 (hereinafter referred to as 10 of 1903 the principal Act), in section 2,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Trustees of the Victoria Memorial (hereinafter called the Trustees) shall be the following, namely:—

(a) the Governor of West Bengal, *ex officio* Chairman;

(b) the Chief Justice of the High Court of West Bengal, *ex officio*;

(c) three persons to be nominated by the Central Government, one of whom shall be a representative of commerce and industry, chosen in consultation with the State Government of West Bengal and two others chosen from among persons who, in the opinion of the Central Government, have expert knowledge of the exhibits in the Victoria Memorial or are museologists, historians or art historians;

(d) a representative of the Central Government in the Ministry concerned with matters relating to the Victoria Memorial, *ex officio*;

(e) a representative of the Central Government in the Ministry of Finance, Department of Expenditure, concerned with matters relating to the Victoria Memorial, *ex officio*;

(f) the Mayor of the Corporation of Calcutta and where the Corporation of Calcutta is superseded, the Administrator of that Corporation, *ex officio*;

(g) an officer, not below the rank of the Accountant-General, nominated by the Comptroller and Auditor-General of India, *ex officio*;

(h) the Secretary to the Government of West Bengal in the Department of Education, *ex officio*;

(i) four persons (of whom one at least shall be from the general body of subscribers), to be nominated by the Trustees, from among persons, who, in the opinion of the Trustees from among persons, who, in the opinion of the Victoria Memorial or are museologists, historians or art historians, with the approval of the Central Government.”;

(ii) after sub-section (3), the following sub-section shall be inserted, namely:—

“(3A) If any of the Trustees referred to in clauses (b), (d), (e), (f), (g) and (h) of sub-section (1) is unable to attend any meeting of the Trustees, he may, with the previous approval of the Chairman, authorise in writing a person to do so.”.

3. In section 5 of the principal Act,—

(a) in sub-section (1), after the words “Central Government may”, the words “, by notification in the Official Gazette,” shall be inserted;

(b) in sub-section (2),—

(i) after clause (d), the following clause shall be inserted, namely:—

“(da) for the fees to be levied for admission to the Victoria Memorial;”;

(ii) in clause (e), the word “and” occurring at the end shall be omitted;

(iii) clause (f) shall be omitted;

(c) after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

Amendment of section 5.

Insertion of new section 6.

Power of Trustees to make regulations.

4. After section 5 of the principal Act, the following section shall be inserted, namely:—

“6. (1) The Trustees may, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations, not inconsistent with this Act and the rules made thereunder, for enabling the body to discharge its functions under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the conditions and restrictions subject to which articles and things vested in the Trustees may be given on loan;

(b) the recruitment and conditions of service of the employees of the Victoria Memorial.

(3) Every regulation shall, as soon as may be, after it is made by the Trustees, be forwarded to the Central Government and that Government shall cause a copy of the same to be laid before each House of Parliament, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.”