

The Haryana Shri Mata Sheetla Devi Shrine Act, 1991

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Act 10 of 1992

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The Haryana Shri Mata Sheetla Devi Shrine Act, 1991 Haryana Act No. 10 of 1992 Statement of Objects and Reasons. - Shri Mata Sheetla Devi Temple, Gurgaon (Shrine), is one of the ancient historical temples of Hindus. In order to provide better management, administration and governance of Shri Mata Sheetla Devi Shrine, as also to provide better amenities and facilities to the visiting devotees as well as securing the health, safety and convenience of disciples, pilgrims and worshippers of the Shrine, it has been decided to enact a new law. Hence the Bill. Published vide Haryana Government Gazette (Extraordinary), dated the 17th December, 1991, page 2217. Statement of Objects and Reasons - Haryana Act 21 of 1996. - For the better management of the affairs of the Haryana Shri Mata Sheetla Devi Shrine Board, the State Government had appointed a Chief Administrator of the Board. But there is no provision in the Haryana Shri Mata Sheetla Devi Shrine Act, 1991 to appoint any person as Chief Administrator of the said Shrine Board. In view of this it is proposed to amend sub-section (1) of Section 13 of the Act. It has also been decided that Minister-in-charge for Local Government may be made as Vice-Chairman of the Board by amending Section 4 of the Act. Further in order to enable the Minister-in-charge of Local Government to preside over the meetings of the Board, in the absence of the Chairman, it is proposed to amend sub-section (2) of Section 12 of the Act. It has further been decided to amend clause (b) of Section 4 of the Act by substituting the word "Commissioner" with words "Secretary to Government Haryana, Local Government Department whether designated as Financial Commissioner, Local Government or Commissioner & Secretary, Local Government as the case may be". As a consequent Amendment, it is also proposed to amend clause (e) of Section 2 of the said Act. Hence the Bill. Published vide Haryana Government Gazette (Extraordinary), dated the 15th November, 1996, page 2370. Received the assent of the President of India on the 10th February, 1992, and was published in the Haryana Gazette, (Extraordinary) Legislative Supplement, Part I, dated 29th February, 1992. An Act to provide for the better management, administration and governance of Shree Mata Sheetla Devi Shrine, Gurgaon and its endowments including the lands and buildings attached or appurtenant to the Shrine. Be it enacted by the Legislature of the State of Haryana in the Forty-second Year of the Republic of India as follows :-

1. Short title and Commencement.

(1) This Act may be called the Haryana Shri Mata Sheetla Devi Shrine Act, 1991. (2) It shall come into force at once.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "Board" means Shri Mata Sheetla Devi Shrine Board constituted under Section 4 of this Act; (b) "Endowment" means all property, movable or immovable, belonging to, or given or endowed or the maintenance, improvement, additions to, or worship in the Shrine or for the performance of any service or charity, connected therewith and includes the idols installed therein, the premises of the Shrine and gifts of property made to any one within the precincts of the Shrine and lands and buildings attached, or appurtenant thereto; (c) "Government" means the Government of the State of Haryana; (d) "math" means a math as understood under Hindu Law; (e) "member" means member of the Board constituted under Section 4 and includes a [Member-Secretary, Vice-Chairman and Chairman professing Hindu religion, in case Chairman, Vice-chairman] [Substituted for 'Member-Secretary and Chairman professing Hindu religion, in case Chairman,' by Haryana Act No. 21 of 1996.], ex officio member and Member-Secretary happens to be non-Hindu, the Government may appoint in his place another member professing Hindu religion; (f) "prescribed" means prescribed by rules made under this Act; (g) "pujari" means pujaris and includes pandits and purohits or such other person who performs or conducts puja or other rituals; (h) "Shrine" means the Shrine of Shri Mata Sheetla Devi, Gurgaon, all temples, math and idols within the premises of Shri Mata Sheetla Devi Shrine and endowments attached thereto, established with a religious object for a public purpose and includes, -(i) all properties movable, immovable, belonging to or given or endowed for worship in, maintenance or improvement additions to, or temple, for the performance of any service or charity connected therewith; and (ii) the idols installed in the temple, clothes and things for decoration, etc; (i) "Shrine fund" means and includes all sums received by or on behalf of, or for the time being held for the benefit of the Shrine, and also includes all the endowments which have been or may hereafter be made for the benefit of the Shrine or any other deity thereof in the name of any person, or for the convenience, comfort or benefit of the pilgrims thereto, as well as all offerings made to any of the deities comprised in the Shrine; (j) "temple" means a place, by whatever designation known, used as a place of public religious worship, dedicated to, or for the benefit of, or used as of right by, the Hindu community or any section thereof as a place of public religious worship.

3. Vesting of Shrine fund.

- The ownership of the Shrine fund shall, from the commencement of this Act, vest in the Board and the Board shall be entitled to its possession, administration and use for the purposes of this Act.

4. Constitution of Board.

- The administration, management and governance of the Shrine shall vest in a Board consisting of a

[Chairman, Vice- Chairman] [Substituted for 'Chairman' by Haryana Act No. 21 of 1996.] and not more than eleven members. The composition of the Board shall be as follows :-(a) Chief Minister, Haryana, shall be the Chairman; (aa) [Minister-in-charge, Local Government, Haryana, shall be the Vice-Chairman;] [Added by Haryana Act No. 21 of 1996.] (b) [Secretary to Government, Haryana, Local Government Department whether designated as Financial Commissioner, Local Government or Commissioner, Local Government, as the case may be, shall be the ex officio member;] [Substituted by Haryana Act No. 21 of 1996.] (c) Deputy Commissioner, Gurgaon, shall be the ex officio Member- Secretary; (d) nine persons to be nominated by the Government as members in the following manner :-(i) two persons who, in the opinion of the Government have distinguished themselves in the service of Hindu religion or culture; (ii) two women, who in the opinion of the Government have distinguished themselves in the service of Hindu religion, culture or social work, especially in regard to advancement of women; (iii) three persons, out of persons who have distinguished themselves in administration, legal affairs or financial matters; (iv) two eminent Hindus of the State of Haryana.

5. Defraying of Shrine funds.

- The Shrine funds would be applied, -(a) for defraying expenses for the proper maintenance of the temple, performance of puja and other rituals; (b) for providing amenities, facilities to the visiting devotees; (c) for training of vidyarthies; and (d) for establishment and maintenance of the educational institutions; and (e) for securing the health, safety and convenience of disciples, pilgrims and worshippers visiting the Shrine.

6. Incorporation of Board.

- The Board shall be a body corporate and shall have perpetual succession and a common seal and may by the said name sue and be sued.

7. Term of office of member.

- A nominated member of the Board shall hold office during the pleasure of the Government; provided that his term of office shall not exceed three years from the date of his nomination under Section 4.

8. Disqualifications for membership of Board.

- A person shall be disqualified for being nominated as a member of the Board, -(a) if such person is not a Hindu; (b) if he is of unsound mind and stands so declared by a competent Court or if he is a deaf, mute, or is suffering from contagious leprosy or any virulent contagious disease; (c) if he is an undischarged insolvent; (d) if he is appearing as a legal practitioner against the Board; (e) if he is sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reversed; (f) if in the opinion of the Government he has acted against the interest of the Shrine; (g) if he is an office-holder or servant attached to the Board; (h) if he has been guilty of

corruption or mis-conduct in the administration of the Shrine; and(i)if he is addicted to intoxicating liquors or drugs.

9. Dissolution and supersession of Board.

(1)If in the opinion of the Government, the Board is not competent to perform, or persistently makes default in performing, the duties imposed on it under this Act or exceeds or abuses its powers, the Government may after due enquiry and after giving the Board a reasonable opportunity of being heard, by order dissolve or supersede the Board and reconstitute another Board in accordance with this Act.(2)Where a Board is dissolved or superseded under this section, the Government shall assume all the powers and perform all the functions and exercise all the powers of the Board for a period not exceeding three months or until the constitution of another Board, whichever is earlier.

10. Filling up of vacancies.

(1)Casual vacancy of a member shall be filled in the same manner as provided in Section 4.(2)The term of a member nominated to fill a casual vacancy shall expire on the day on which the term of the member in whose vacancy the nomination has been made would have expired.(3)Nothing done by the Board shall be invalid only by the reason of there being a casual vacancy.

11. Resignation.

- Any nominated member may resign his office as member by giving notice in writing to the Chairman and his office shall become vacant from the date of acceptance of the same by the Government.

12. Office and meetings of Board.

(1)The Board shall maintain its office at such place as it may decide.(2)At the meeting of the Board, the Chairman or in his absence [Vice- Chairman,] [Substituted for 'Commissioner, Local Government, Haryana,' by Haryana Act No. 21 of 1996.] shall preside.(3)No business shall be transacted at any meeting unless at least five members are present.(4)Every decision of the Board shall except expressly provided by this Act, be by a majority of votes, and in case of equality of votes, the person presiding shall have a second or casting vote.

13. Appointment of officers and servants of Board.

(1)For the efficient discharge of the duties assigned to it under this Act, the Board [may appoint Chief Administrator, Chief Executive Officer] [Substituted for 'may appoint a Chief Executive Officer' by Haryana Act No. 21 of 1996.] and such other officers and servants as it considers necessary with such designations, pay, allowances and other remunerations and perquisites as the Board may determine from time to time.(2)The Chairman of the Board, subject to any rules made under this Act, shall have the power to transfer, suspend, remove or dismiss any officer or servant of

the Board for the breach of discipline, carelessness, unfitness, neglect of duty or misconduct or for any other sufficient cause :Provided that where the officer or the servant is a Government servant, he may be reverted to his parent cadre or department in the Government.

14. Members, Officers and Servants of the Board to be public servants.

- The members, officers and servants of the Board shall, while acting or purporting to act in pursuance of the provisions of this Act or any rules made thereunder, be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

15. Liability of members.

- Every member of the Board shall be liable for the loss, waste or mis-application of the Shrine fund if such loss, waste or mis-application is a direct consequence of his wilful act or omission while as member and a suit for compensation may be instituted against him by the Board.

16. Alienation of movable and immovable property.

(1)No jewellery, ornaments which have once been adorned on the idols or other valuable property of non-perishable nature forming part of the Shrine fund shall be transferred, exchanged, sold or disposed of without the previous sanction of the Government on the recommendation of the Board.(2)No land or other immovable property held by the Board shall be alienated except by a resolution of the Board and the approval of the Government.

17. Limitation of borrowing power and lending.

- No money shall be borrowed or lent except by a resolution of the Board and the approval of the Government.

18. Duties of Board.

- Subject to the provisions of this Act and the rules made thereunder, it shall be the duty of the Board, -(1)to arrange for the proper performance of worship at the Shrine;(2)to provide facilities for the proper performance of worship by the pilgrims;(3)to make arrangements for the safe custody and preservation of the Shrine funds, valuable security and jewellery;(4)to undertake for the benefit of worshippers and pilgrims -(a)the construction of buildings for their accommodation;(b)the construction of sanitary works; and(c)the improvement of means of communication;(5)to undertake the developmental activities concerning the area of the Shrine and its surroundings;(6)to make suitable arrangements for the imparting of religious instructions and general education;(7)to make provision of medical relief for worshippers and pilgrims;(8)to make provisions for the payment of suitable emoluments to the salaried staff;(9)to do all such things as may be incidental and conducive to the efficient management, maintenance and administration of the Shrine and the Shrine fund and the convenience of the pilgrims.

19. Rights of pujaris and other persons.

(1) All rights of pujaris or any other persons shall stand extinguished from the date of commencement of this Act : Provided that the Government may appoint a Tribunal who, after giving personal hearing to the pujaris or any other person and the representatives of the Board, shall recommend compensation to be paid by the Board, in lieu of extinction of their rights. While making its recommendations to the Board, the Tribunal shall have due regard to the income which the pujaris had been deriving : Provided further that where a pujari or any other persons surrenders his right to compensation and offers himself for employment to the Board, the Board shall cause his suitability for such employment to be adjudged and may offer him employment in case he is found suitable by the selection committee to be appointed for the purpose subject to the pujaris or any other person giving an undertaking to abide by the administrative and disciplinary control of the Board in accordance with the rules made under this Act. (2) All such employees of the Shrine as are engaged on any function connected with the Shrine shall, unless they exercise an option to the contrary be deemed to have become the employees of the Board on the commencement of this Act and would be subject to the administrative and disciplinary control of the Board. Their terms and conditions of service shall be regulated by the rules made under this Act which will, as far as practicable not be inferior than the present level of remuneration and other terms and conditions of their service. (3) The shopkeepers and other lease holders, who are the tenants of the Shrine in the area referred to in this Act, will become the tenants of the Board.

20. Preparation and maintenance of registers.

(1) There shall be prepared and maintained, in such form and manner as may be prescribed, a register showing- (a) the origin and history of the Shrine and particulars as to the custom or usage of the Shrine; (b) particulars of the scheme of administration and of the scale of expenditure; (c) the name of all officers to which any salary, emolument or perquisite is attached and the nature, time and conditions of service in each case; (d) the money, jewellerys, jewels, gold, silver, precious stones, vessels and utensils and other movables belonging to the Shrine, with their weights, details and estimated value thereof; (e) particulars of immovable properties and all other endowments of the Shrine and all title deeds and other documents; (f) particulars of, details of constituent elements of and coloured photographs of the idols and other images in or connected with the Shrine, whether intended for worship or for being carried in processions; (g) particulars of ancient or historical records with their contents in brief, and (h) such other particulars as may be required by the Board. (2) The register shall be prepared, signed and verified by the Chief Executive Officer or an officer authorised by the Board within three months from the date of the notice served upon him by the Member-Secretary in this behalf or within such further period as may be allowed by him. (3) The Board may, after such enquiry as it may consider necessary, recommend and direct the officer to carry out such alterations, omissions or additions in the registers as the Board may think fit. (4) The officer shall carry out the directions of the Board and submit the register to the Board for approval within a period of three months from the date of the order.

21. Annual verification of the register.

(1)The Chief Executive Officer or any officer authorised by the Board shall scrutinise the entries in the register every year, or at such interval of times, as may be prescribed, and submit the same to the Board through the Member Secretary for its approval.(2)The Board may, thereupon, after such inquiry as it may consider necessary, direct the alterations, omissions or additions, if any, to be made in the register.(3)The officer authorised by the Board shall carry out the alterations, omissions or additions ordered by the Board in the copy of the register kept by him, within three months from the date of the order.

22. Inspection of property and documents.

(1)The Member Secretary of the Board or any officer authorised in that behalf by the Board or the Government, may inspect all movable or immovable properties belonging to, and all records, correspondence, plans, accounts and other documents relating to the Shrine and it shall be the duty of all officers and servants working under him, and any person having concern in the administration thereof, to afford all such assistance and facilities as may be necessary or reasonably required in regard to such inspection, and also to produce any such movable property or document for inspections, if so required.(2)For the purposes of inspection as aforesaid the inspecting authority shall, subject to the local practice, custom or usage, have power to enter at any reasonable hour the premises of the Shrine.(3)Nothing in this section shall be deemed to authorise any person to enter the premises or place referred to in sub-section (2) or any part thereof unless such person professes the religion to which the premises or place belongs.

23. Restriction on registration of documents.

- Notwithstanding anything contained in the Registration Act, 1908, the registering authority shall not accept for registration any deed or alienation of immovable property belonging to the Shrine unless a certified copy of the order made under Section 16 sanctioning such alienation is filed along with the deed.

24. Recovery of immovable property unlawfully alienated.

(1)Whenever it comes to the notice of the Board that any immovable property belonging to the Shrine has been alienated in contravention of the Act, it shall refer the matter to the Government.(2)Upon receipt of a reference made under sub-section (1), the Government shall hold a summary enquiry in the prescribed manner and on being satisfied that any such property has been so alienated, shall deliver possession of the same to the Board.

25. Removal of encroachment of land and premises belonging to Shrine.

(1)The provisions contained in the Haryana Public Premises and Land (Eviction and Rent Recovery) Act, 1972, shall be applicable as far as may be, in respect of unauthorised occupation of any land or

premises belonging to the Shrine as if it were the property of Government within the meaning of that Act.(2)The Member Secretary of the Board may make an application for taking up appropriate proceedings under the Act referred to in sub-section (1) to the authority competent thereunder and thereupon it shall be lawful for such authority to take action in accordance with the provisions in that Act.

26. Power to act for protection of Shrine.

(1)Where the Board has the reason to believe that -(a)any property belonging to the Shrine is in danger of being wasted, damaged or improperly alienated by any person; or(b)such person threatens, or intends to remove or dispose of that property,the Member-Secretary of the Board may, by order grant a temporary injunction or make such other order, for the purpose of staying and preventing the wastage, damage, alienation, sale, removal, or disposition of such property, on such terms as to the duration of injunction, keeping of accounts, giving security, production of the property or otherwise, as he thinks fit.(2)the Member-Secretary of the Board shall in all such cases, except where it appears that the object of granting injunction would be defeated by delay, before granting an injunction give notice of the facts to the person concerned.(3)After hearing the person concerned and holding such inquiry, as he may think fit, the Member Secretary of the Board may confirm, discharge, vary or set aside the order of injunction or pass an appropriate order.(4)In case of disobedience or breach of any injunction, any of its terms or any order passed under this section, the Member-Secretary of the Board may apply to the Government, who may, after hearing the Member-Secretary of the Board and the party affected, order the property of the person, guilty of such disobedience or breach, to be attached, and may also order the said person to be detained in civil prison for a term not exceeding one year. No attachment under this sub-section shall remain in force for more than two years, at the end of which time, if the disobedience or breach continues, the property attached may be sold, and out of the sale proceeds, the Government may award such compensation as it thinks fit and shall pay the balance if any, to the person entitled thereto, and thereupon the temporary injunction granted or any order passed by the Member-Secretary of the Board under this section, if in force, shall stand vacated or, as the case may be, cancelled.(5)A person against whom the order of injunction or any other order under this section is passed, may within ninety days from the date of communication of such order, appeal to the Government against such order.

27. Appointment and tenure of pujari.

(1)The Board or the officer authorised by it, shall appoint pujaris of the Shrine and in making such appointment, he shall have due regard to the claims of persons belonging to the religious denomination for whose benefit the Shrine is mainly maintained.(2)A pujari shall hold office for a term of five years, unless in the meanwhile he is removed or dismissed or his resignation is accepted by the Board or the officer authorised by it or he otherwise ceases to be a pujari.(3)A pujari shall be eligible for re-appointment.

28. Power to suspend, remove or dismiss.

(1)The Board or the officer authorised by it may suspend, remove or dismiss the pujari of the Shrine, - (a)for wilful disobedience of any order issued under the provisions of this Act by the Board or the Government; (b)for any malfeasance, misfeasance, breach of trust or neglect of duty in respect of the Shrine or alienation of any property, in contravention of this Act; (c)for any misappropriation of, or improper dealing with, the properties of the Shrine of which he is a pujari; (d)for having been found under the influence of intoxicating liquor or drugs in the Shrine; and (e)for unsoundness of mind or other mental or physical defect or infirmity which renders him unfit for discharging the functions of a pujari : Provided that no pujari shall be removed or dismissed by the Board or the officer authorised by it under this section unless he has been given a reasonable opportunity of being heard. (2)A pujari, who is suspended, removed or dismissed by the Board or the officer authorised by it under sub-section (1), may, within one month from the date of receipt of the order of suspension, removal or dismissal, prefer an appeal to such authority and in the manner as may be prescribed. (3)A pujari so suspended, removed or dismissed may be allowed such maintenance as may be fixed by the Board or the officer authorised by it considering the financial condition of the Shrine.

29. Disqualifications of pujaris.

- A person shall be disqualified for being appointed as, and for continuing to be, a pujari, - (a)if he is an undischarged insolvent; (b)if he is of unsound mind and stands so declared by a competent court; (c)if he is interested either directly or indirectly in a subsisting lease or any property of or contract made with, or any work being done for, the Shrine or is in arrears of any dues payable to the Shrine; (d)if he is appearing as a legal practitioner on behalf of or against the Shrine; (e)if he has been sentenced by a criminal Court for an offence involving moral turpitude, and such sentence has not been reversed; (f)if he has acted adversely to the interest of the Shrine; (g)if he is an addict to intoxicating liquors or drugs; (h)if he has not completed twenty-one years of age; and (i)if he ceases to profess Hindu religion or persuasion or to belong to the religious denomination to which the Shrine pertains.

30. Filling of vacancy in the office of pujari.

(1)When a permanent vacancy occurs in the office of the pujari of the Shrine, the pujari shall be appointed by the Board or by an officer authorised by it. (2)When temporary vacancy occurs in such an office by reason of the suspension of a pujari, a pujari in his place shall be appointed by the Board or the officer authorised by it to discharge the functions of the pujari until his disability ceases.

31. Budget of Shrine.

(1)The Member Secretary of the Board shall, before the end of December, in each year, submit to such authority and in such form and manner as may be prescribed a budget showing the probable receipts and disbursements of the Shrine during the following financial year. (2)Every such budget

shall make adequate provision for -(a)the scale of expenditure for the time being in force and customary expenditure;(b)the due discharge of all liabilities binding on the Shrine;(c)the expenditure on religious, educational and charitable purposes not inconsistent with the objects of the Shrine;(d)the encouragement and the spread of religious instructions according to the tenets of the Shrine; and(e)the expenditure on the repairs and renovation of the buildings and preservation and protection of the properties and assets of the Shrine.(3)The Board may, on receipt of the budget make such alterations, omissions or additions therein, as it may deem proper.(4)Notwithstanding anything contained in any other law for the time being in force or in any custom, usage or practice to the contrary, the provisions made for remuneration of any office holder or for any other item of expenditure in respect of the Shrine may be increased, decreased or modified by the Board if such increase, decrease or modification is considered necessary in view of the financial condition and the interest of the Shrine.

32. Accounts.

(1)The Officer authorised by the Board shall keep regular accounts of all receipts and disbursements. Such accounts shall be kept for each calendar year separately in such form and shall contain such particulars as may be prescribed.(2)The accounts of the Shrine shall be audited annually by a person who is a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949, or by such other person as may be authorised in this behalf by the Government.(3)Every auditor conducting the audit under sub-section (2) shall have access to the accounts and to all books, vouchers other documents and records in possession of or under the control of the officer authorised by the Board.

33. Penalty for refusal by pujaris etc. to comply with the provisions of this Act.

- If any pujari, officer, servant or any other person concerned with the administration of the Shrine -(a)refuses or wilfully fails to comply with the provisions of this Act or the rules framed thereunder or the orders and directions issued thereunder or obstructs any proceedings taken under this Act or the rules framed thereunder; or(b)refuses, or wilfully fails to furnish any reports, statements, accounts or other information called for under this Act;he shall be punishable with fine which may extend to one thousand rupees or in default with imprisonment for a term which may extend to one month.

34. Penalty for wrongful withholding of property belonging to Shrine.

- Any person who, -(a)having in possession, custody or control of any property, document or books belonging to the Shrine, the management and control of which has been regulated under the provisions of this Act or the rules framed thereunder, wrongfully withholds such property or documents or books of accounts from the Board or any other person duly authorised by the Government or the Board to inspect or call for the same;(b)wrongfully obtains possession of, or retains any property, document or books of accounts of the Board or wilfully withholds or fails to

furnish or deliver to the Board or any other person authorised by it in this behalf; or(c)wrongfully removes, destroys or mutilates property, documents or books of accounts of the Shrine,shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

35. Protection of action taken under this Act.

(1)No officer or servant of the Government shall be liable in any civil or criminal proceedings in respect of any act done or purporting to be done under this Act or under the rules made thereunder, if the act has been done in good faith and in the course of execution of the duties imposed or in discharge of the functions assigned by or under this Act or the rules framed thereunder.(2)No suit or other legal proceedings shall lie against the Government for any damage caused or likely to be caused or any injury suffered or likely to be suffered by virtue of any provisions of this Act or by anything done in good faith or intended to be done in pursuance of this Act or the rules made thereunder.

36. Power to give directions.

- The Government may, from time to time, give such general or specific directions, in writing, to the Board for the effective implementation of the provisions of this Act and while so doing may rescind, alter or modify any order made by the Board and the Board shall follow them in the discharge of its duties.

37. Power of Government to review.

- The Government may, suo motu or on an application moved by any person considering himself aggrieved from any order or decision of the Board made under this Act, review such order or decision and make such order thereon as it thinks fit :Provided that before any order is made under this section, the Government shall afford to any person, likely to be affected adversely by such order, an opportunity of being heard.

38. Powers to remove difficulties.

- If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the Official Gazette, make such provisions not inconsistent with the purposes of this Act as appear to it necessary or expedient for removing the difficulty.

39. Bar of jurisdiction.

- Save as expressly provided in this Act, no civil Court shall have jurisdiction to entertain or adjudicate upon any dispute or matter which is to be decided by any officer or authority under this Act, and in respect of which decision or order of such officer or authority has been made final and conclusive.

40. Power to make rules.

(1)The Government may subject to the condition of previous publication, make rules for the purpose of carrying into effect the provisions of this Act.(2)Without prejudice to the generality of the foregoing powers, such rules may provide for -(a)conditions of service of the employees of the Shrine under Section 19;(b)the form and manner in which the registers are to be maintained under Section 20;(c)the scrutiny of the entries in the registers under Section 21;(d)the manner in which enquiry is to be conducted under Section 24;(e)the authority to which and the manner in which appeal is to be preferred under Section 28;(f)the from and manner in which the budget is to be prepared under Section 31;(g)the form of statements, returns and other forms required to be maintained by or under this Act and the manner in which these are to be maintained;(h)the returns, accounts or other information to be submitted by the officer authorised by the Board;(i)the preservation, maintenance, management and improvements of the properties and buildings of the Shrine;(j)the preservation of idols and images in temples; and(k)any other matter which is to be or may be prescribed under this Act.(3)Every rule made under this Act shall be laid as soon as may be after it is made before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees that the rules should be either modified or annulled, 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.

41. Certain enactments to cease to apply to the Shrine.

- On and from the date on which the provisions of this Act are made applicable to the Shrine, the provisions of any other laws which might be applicable to the Shrine, shall cease to apply thereto:Provided that such cessation shall not in any way affect -(a)any right, title, interest, obligation or liability already acquired, accrued or incurred;(b)any legal proceeding for any remedy in respect of such right, title, interest, obligation or liability, instituted; or(c)anything duly done or suffered.