

# Haridwar Anant Kumbh Nidhi Act, 2003

UTTARAKHAND

India

## Haridwar Anant Kumbh Nidhi Act, 2003

### Act 31 of 2003

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Haridwar Anant Kumbh Nidhi Act, 2003(Act No. 31 of 2003)Last Updated 5th March, 2020An Act  
It is hereby enacted in the fifty-fourth year of the Republic of India as follows: -Chapter-1

### 1. Short title, extent and commencement.

(1)This Act may be called Haridwar Ananth Kumbh Nidhi Act, 2003.(2)It extends to the whole of Uttarakhand.(3)It shall be deemed to have come into force at once.

### 2. Definitions.

- In this Act, unless the context otherwise require-(a)"Anant Kumbh Nidhi" Haridwar means fund established for conservation and development of the Kumbh Mela Area;(b)"Chairman" means Chairman of the Executive Committee of Anant Kumbh Nidhi, Haridwar;(c)"Vice-Chairman" means Vice-Chairman of the Executive committee of Anant Kumbh Nidhi, Haridwar;(d)"Member Secretary" means Secretary of the Executive Committee of Anant Kumbh Nidhi, Haridwar;(e)"Year" means 12 months commencing on the first day of April;(f)"Fund" means the receipts received as per the provisions of this Act;(g)"State Government" means the Government of Uttarakhand.Chapter-2

### 3. Executive committee of the fund.

(1)There shall be an Executive Committee for the management of the affairs of the fund and discharging the functions assigned to it by or under the Act. All affairs of the fund, pecuniary and otherwise, shall be administered by the Executive Committee. It shall be a body corporate and shall have a perpetual succession and a common seal.(2)The following shall be the members of the executive committee: -(a)Ex-officio Members:

1. Chief Minister of the State of Uttarakhand - Chairman
2. Minister for Urban Development of the State of Uttarakhand - ViceChairman

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| 3. Chief Secretary to the Govt. of Uttarakhand              | - Member           |
| 4. Secretary Planning to the Govt. of Uttarakhand           | - Member           |
| 5. Secretary Finance to the Govt. of Uttarakhand            | - Member           |
| 6. Secretary health to the Govt. of Uttarakhand             | - Member           |
| 7. Secretary Tourism to the Govt. of Uttarakhand            | - Member           |
| 8. Secretary Culture to the Govt. of Uttarakhand            | - Member           |
| 9. Secretary Urban Development Govt. of Uttarakhand         | - MemberSecretary; |
| 10. Commissioner, Garhwal Division                          | - Member           |
| 11. Kumbh Mela Adhikari, Haridwar                           | - Member           |
| 12. President, Akhara Parishad, Haridwar                    | - Member           |
| 13. Authorized Representative of shri Ganga Sabha, Haridwar | - Member           |
| 14. District Magistrate, Dehradun, Haridwar, Pauri & Tehri  | - Member           |

(b)Nominated members:(1)The executive committee may nominate maximum four members, for a maximum period three years;(2)Eminent persons from business & industry, science & Technology, Art & Culture, Social Service and Literature may be bestowed with the status of 'Patron' by the executive committee. These patrons may be invited to render valuable advice/guidance in furtherance of the aims and object5s of the fund.

#### **4. Powers, duties and Rights of executive committee.**

(1)The affairs of the fund shall be carried on and managed by the executive committee who shall exercise such power and authority of the fund as may be necessary and prudent for its smooth conduct consistent with the stated aims and objects.(2)All properties, moveable and immovable or of any kind of the fund shall stand vested in the executive committee.(3)Without prejudice to the generality of the forgoing provisions, the executive committee shall have following powers:-(i)acquire by gift, donations, grants, exchange, lease lands, buildings or other immovable properties together with all rights appertaining thereto;(ii)to manage the properties of the fund;(iii)to raise funds for the fund through gifts, donations, grants etc;(iv)to receive monies, securities, instruments and /or any other movable properties for and on behalf of the fund;(v)to issue receipts, to sign and execute instruments and to endorse or discount cheque or other negotiable instrument through its accredited agents;(vi)to, make sign and execute such documents and instruments as may be necessary and proper for carrying out the management of the property and affairs of the fund;(vii)to manage, transfer, dispose of any, movable or immovable property of the fund;(viii)to prescribe powers, functions and duties of the office bearers;(ix)to appoint an auditor or auditors for auditing the accounts of the fund;(x)to engage, from time to time, such and as many persons and on such terms and conditions, as may be fit for carrying out the affairs of the fund for conduction studies, investigations, researches, training and other activities undertaken by the fund;(xi)to exercise control and super ordination over the staff of Fund;(xii)the executive committee shall have the power to make bye laws in respect of the following matter:-(a)management of properties, funds, affairs and works of the fund;(b)procedure for convening and conduction of the meetings of the executive committee and such other bodies as may be set up from time to time;(c)such other purpose as may be found necessary.

## **5. Powers and Duties of the office bearers Chairman/member Secretary.**

- Powers /Duties as prescribed in section 4 the following powers/duties of Chairman/member Secretary shall be in addition:-(a)The Chairman shall be the head of the fund, who shall preside over all the meetings of the executive committee and issue instructions to office bearers and members of the Executive Committee. He can call any emergency meeting of the Executive committee.(b)Vice Chairman shall preside over all the meetings of the Executive Committee in absence of the Chairman, and perform all the duties of the Chairman and shall be vested with all the powers which will be formally assigned to him by the Chairman in writing.(c)Member Secretary shall exercise control over the property of the fund and look after the administrative and legal matters of the fund. Member Secretary shall be responsible for proper maintenance and prescribed annual audits of accounts of the fund. He/she shall put up proposals and estimates for works to be undertaken before the Executive Committee in consultation and with prior approval of the Chairman.

## **6. Meetings of the Executive committee.**

- The Executive Committee shall meet annually but in special case may met whenever necessary with the permission of the Chairman. A fortnight's notice will be required for Executive Committee meeting. Under emergent circumstances meeting may be called by the secretary with the approval of the Chairman at short notice.

## **7. Staff and their Remuneration.**

- For the efficient performance of its duties and functions, the Executive Committee may engage on contract or deputation, for a fixed term not exceeding three years in any case, such person or persons on the staff as it deems necessary and prescribe the terms and conditions of such engagement and their remunerations. The expenditure to be incurred for such engagements shall be met out of the Nidhi funds.Chapter-3

## **8. Office of fund.**

- The office of the fund shall be formed as a separate cell adjunct to the office of the secretary, Urban Development, Govt. of Uttarakhand, Dehradun, i.e. ex-officio secretary of the fund.

## **9. Finances of the fund.**

(1)There shall be established a fund under the management and control of the Executive Committee into which shall be paid all monies. (Including donations and grants etc.) received by the fund and out of which shall be met all expenses including any payments or grants made and liabilities incurred by the fund.(2)The fund will raise funds from the various sources, including donations and contributions from individuals, public and private institutions, trusts, bodies corporate, and both Union and State Government.(3)The Executive Committee may invest any money for the time being standing to the credit of the fund in fixed deposits with the nationalized banks.(4)The Executive

committee by a resolution passed by simple majority authorizes spending of moneys, limited to two thirds of its total receipts, on works/ activities consistent with the aims and objects of the fund in such manner as it deems fit and proper.(5)The annual accounts of the fund shall be subject to audit by a Chartered Accountant in practice within the meaning of the Chartered Accountant Act, 1949 to be appointed annually by the Executive committee.(6)As soon as may be practicable after the end of each year, but not later than the 30th day of September of the year next following, the Executive committee shall cause to be published in the Gazette of Uttarakhand a copy of the audited accounts and the report of the Executive committee for that year and copies of the said accounts and report shall be forwarded to the State Government and to all the members of the Fund.(7)The bank accounts of the fund shall be opened with the State bank of India Main Branch, Dehradun and Haridwar, which shall be operated jointly by the Joint Secretary and the Treasurer of the Fund.

## **10. Annual administrative Report.**

- The Executive Committee shall annually submit to the State Government a report on the administration of the affairs of the fund by such time as the State Governments may prescribe.

Chapter-4 Miscellaneous

## **11. Power of the state Government call for information and accounts.**

- The State Government shall have power to call for such information and accounts as may in their opinion be necessary for reasonably satisfying themselves that the fund is properly managed, maintained and administered, and the Executive Committee shall, on such requisition, furnish forthwith such information and accounts to the State Government.

## **12. Bar to suit or proceedings.**

- No suit or proceedings shall lie in any court against the Executive Committee or its members for anything done or purported to be done by them in good faith in pursuance of the aims and objects of the fund under the provisions of this Act.

## **13. Power of the Executive committee to make bye-rules.**

(1)The committee may make bye-laws not inconsistent with this Act or any other law for the following provisions: -(a)the division of duties among the Chairman, the Vice-Chairman, the member Secretary and the members of the Executive committee;(b)the manner in which their decision may be ascertained otherwise than at the meetings;(c)the procedure and conduct of business at meetings of the Executive committee;(d)the delegation of powers of the executive Committee to individual members or to a sub-committee or sub-committee;(e)the books of accounts to be kept at the office of the Executive Committee;(f)the custody and deployment of the fund;(g)the details to be included in or excluded from the budget of the Executive Committee;(h)the time and place of its meetings;(i)the manner in which notice of its meetings shall be given;(j)the manner in which the proceedings of its meetings shall be recorded and published;(k)the persons by whom

receipts may be issued for monies paid to the committee;(1)the performance of duties.(2)All bye-laws or cancellation or alteration of existing bye-laws after they have been confirmed by the State Government shall be published in the official Gazette, and shall thereafter have the force of law.

#### **14. Power to Remove Difficulties.**

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, take action not inconsistent with this act for purpose of removing the difficulty.