

# The Victoria Memorial Act, 1903

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### Act 10 of 1903

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### 10. of 1903

#### 1698.

[20th March, 1903]An Act to provide for the erection and management of the Victoria Memorial at Calcutta.WHEREAS it is intended to erect at Calcutta a building as a memorial of the life and reign of Her late Majesty Victoria of the United Kingdom of Great Britain and Ireland, Queen, Empress of India, and for this purpose large sums of money have been subscribed by the princes and people of India ;AND WHEREAS at a meeting of subscribers held in Calcutta certain persons were appointed a Provisional Executive Committee to take the custody of the said moneys ;AND WHEREAS it is expedient to make provision for the erection, maintenance and management of the memorial and for the appointment of a permanent body of Trustees;It is hereby enacted as follows :--

#### 1. Short title.

(1)This Act may be called the Victoria Memorial Act, 1903.[\*\*\*] [Word and sub-section (2) repealed by the Repealing and Amending Act, 1914 (10 of 1914), Section 3 and Sch. II.]

#### 2. Trustees.

- The Trustees of the Victoria Memorial (hereinafter called the Trustees) shall be the following, namely :--(a)[ the Ministry in charge of the Central Government concerned with matters relating to the Victoria Memorial.] [Substituted by the Victoria Memorial (Amendment) Act, 1972 (40 of 1972), Section 2 (25-8-1972).](b)[ the Governor of West Bengal, [Substituted for the former clauses (b)and(c) by A.C.A.O. 1948 (23.3.1948)](c)the Chief Justice of Calcutta,](d)[ two persons to be nominated by the Central Government from among persons who, in the opinion of that

Government, have expert knowledge of exhibits in the Victoria Memorial or are museologists, historians or art historians.] [Substituted by the Victoria Memorial (Amendment) Act, 1972 (40 of 1972), Section 2 (25-8-1972)](e)[ the Secretary to the Government of India [in the Ministry of States,] [Substituted for the former clauses (e) by A.C.A.O. 1948 (23-3-1948)]](f)the President of the Bengal Chamber of Commerce,(g)the [Mayor] [Substituted for the word Chairman by Act 58 of 1960, Section 3 and Sch. II (26-12-1960)] of the Corporation of Calcutta, and(h)[ such and so many persons as shall from time to time be nominated by the Trustees from among persons who in the opinion of the Trustees, have expert knowledge of the exhibits in the Victoria Memorial or are museologists, historians or art historians with the approval of the Central Government to represent the general body of subscribers.] [Substituted by the Victoria Memorial (Amendment) Act, 1972 (40 of 1972), Section 2 (25-8-1972).](2)The Trustees shall be a body corporate, with perpetual succession by the name of " The Trustees of the Victoria 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.(3)[ All acts done by a majority of those present and voting at a meeting of the Trustees, and all acts done in pursuance of a majority decision of the Trustees obtained by circulation to the Trustees of the matter requiring decision, shall be deemed to be acts of the Trustees.] [Substituted and deemed always to have been substituted for the original sub-section, by the Victoria Memorial (Amendment) Act, 1943 (25 of 1943), Section 2.](4)No act of the Trustees shall be deemed to be invalid merely by reason of any vacancy in, or defect in the constitution of, the body of the Trustees.(5)In the case of ex-officio Trustees the person for the time being performing the duties of any of the offices mentioned in sub-section (1) shall act as a Trustee.(6)The Trustees may appoint a person to act as their Secretary.(7)Orders for the payment of money on behalf of the Trustees shall be deemed to be sufficiently authenticated if signed by two Trustees and countersigned by the Secretary.

### **3. Property vested in Trustees.**

- All sums of money now in the custody of the said Provisional Executive Committee and all other property, whether moveable or immovable, which have been or may hereafter be given, bequeathed or otherwise transferred for the purposes of the said Memorial or acquired for the said purposes by the Trustees shall vest in the Trustees.

### **4. Officers and servants to be public servants.**

- All officers and servants employed by the Trustees shall be deemed to be public servants within the meaning of the Indian Penal Code:Provided that this section shall not apply to persons in the service of any contractor employed by the Trustees.

### **5. Rules.**

(1)The [Central Government] [Substituted for the words Governor-General in Council by A.L.O. 1950.] may make rules [\*\*] [For rules, see General rules and Orders, Vol III, pp. 381 to 393.] to carry out the purposes of this Act.(2)In particular, and without prejudice to the generality of the foregoing power, such rules may provide-(a)for the manner in which Trustees, other than ex-officio Trustees,

shall be appointed, and for the periods of time for which such Trustees shall hold office;(b)for the manner in which meetings of the Trustees shall be convened, the quorum necessary for the transaction of business, and the procedure at such meetings;(bb)[ for the manner in which a majority decision of the Trustees shall be obtained by circulation to the Trustees of the matter requiring decision ;] [Inserted by the Victoria Memorial (Amendment) Act, 1943 (25 fo 1943), Section 3.](c)for the appointment of Committees of the Trustees, and the powers of expenditure and control which may be delegated to such Committees;(d)for the erection, maintenance and management of the Memorial, the care and custody of the objects deposited therein, and the conditions under which the public shall have access thereto;(e)for the form of accounts to be kept by the Trustees, and for the audit and publication of such accounts; and(f)for the application to the officers and servants employed by the Trustees of the rules which apply to the civil servants of the [Government] [Substitued for the word Crown by A.L.O. 1950.], or to any class of such civil servants.