

HARYANA VIDHAN SABHA

BILL NO. 3—H.L.A. OF 2024

THE HARYANA ANTRARASHTRIYA GITA JYANTI MELA AUTHORITY BILL, 2024

A

BILL

to provide for the establishment and constitution of an authority for the purposes of management, conduct and regulation of the mela anywhere in the world and for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventy-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Haryana Antrarashtriya Gita Jyanti Mela Authority Act, 2024.

Short title,
extent and
commencement.

(2) It extends to such mela area, as the State Government may, by notification in the Official Gazette, declare.

(3) It shall come into force on the date of its publication in the Official Gazette.

2. In this Act, unless the context otherwise requires,-

Definitions.

- (a) "Authority" means the Haryana Antrarashtriya Gita Jyanti Mela Authority established under section 3;
- (b) "Chairperson" means the Chairperson of the Authority;
- (c) "Chief Executive Officer" means the Chief Executive Officer of the Authority appointed under section 12;
- (d) "green zone" means an area free from polythene, garbage and any such activity which may pollute environment and is contrary to Swachh Bharat Mission of the Central Government;
- (e) "mela" means such mela which the State Government, by notification, in the Official Gazette, declare to be a mela for the purposes of this Act;
- (f) "mela area" means any place used permanently or temporarily for holding or organising a mela and includes all lands and buildings appurtenant thereto;
- (g) "mela period" means the period fixed by the Authority for holding the mela;
- (h) "member" means a member of the Authority and includes the Chairperson, Senior Vice-Chairperson, Vice-Chairperson and Chief Executive Officer;

- (i) "organiser" means a person, trust, society or company authorized by the Authority for organizing the mela;
- (j) "prescribed" means prescribed by rules made under this Act;
- (k) "regulations" means regulations made by the Authority under this Act;
- (l) "State Government" means the Government of the State of Haryana.

Establishment of Authority.

3. (1) The State Government shall, by notification in the Official Gazette establish, for the purpose of this Act, an Authority to be called the Haryana Antrarashtriya Gita Jyanti Mela Authority.

(2) The Authority shall be a body corporate having perpetual succession and a common seal with power subject to the provisions of this Act to acquire, hold and dispose of property, both movable and immovable and to enter into contracts and shall by the said name sue or be sued.

Constitution of Authority.

4. (1) The Authority shall consist of the following members, namely :-
- (a) Chief Minister, Haryana, Chairperson;
 - (b) Minister-in-Charge, Urban Local Bodies Department, Senior Vice-Chairperson ex-officio;
 - (c) one eminent and distinguished person, to be nominated by the State Government, Vice-Chairperson;
 - (d) Administrative Secretary, Finance Department, Member ex-officio;
 - (e) Administrative Secretary, Health Department, Member ex-officio;
 - (f) Administrative Secretary, Public Works (Building and Roads) Department, Member ex-officio;
 - (g) Administrative Secretary, Urban Local Bodies Department, Member ex-officio;
 - (h) Administrative Secretary, Information, Public Relations, Languages and Culture Department, Member ex-officio;
 - (i) Director General of Police, Haryana or an officer nominated by him, who shall not be below the rank of Additional Director General of Police (Law and Order), Member ex-officio;
 - (j) Deputy Commissioner, Kurukshetra, Member ex-officio;
 - (k) Vice-Chancellor, Kurukshetra University, Kurukshetra, Member ex-officio;
 - (l) five eminent and distinguished persons, to be nominated by the State Government, Members;
 - (m) Chief Executive Officer, Member-Secretary.

(2) The allowances of nominated members shall be such, as may be specified by the regulations.

(3) A nominated member may resign from his office by giving notice in writing to the Chairperson and his office shall become vacant from the date of acceptance of his resignation by the Chairperson.

(4) The Authority may associate with itself in such manner and for such purposes, as may be determined by the regulations, any person whose assistance or advice, it may desire in complying with any of the provisions of the Act and the person so associated shall have the right to take part in the meeting of the Authority relevant to the purpose for which he has been associated but shall not be entitled to vote.

5. A person shall be qualified for being nominated as a member of the Authority, if he,- Qualifications.

- (a) is a citizen of India;
- (b) possesses good conduct and reputation and commands respect in the locality;
- (c) is well versed with Hindu culture and teachings of Srimad Bhagavata Gita;
- (d) is having minimum qualification of graduation from any recognized university or institution;
- (e) is having experience in the field of art and culture;
- (f) is a scholar of Hindu religious practices.

6. A person shall be disqualified for being nominated as a member of the Authority, if he is,- Disqualifications.

- (a) of unsound mind and stands so declared by a competent court;
- (b) a deaf, dumb or is suffering from contagious leprosy or any virulent contagious disease;
- (c) an undischarged insolvent;
- (d) appearing as a legal practitioner against the Authority;
- (e) sentenced by criminal court for an offence involving moral turpitude;
- (f) an office holder or servant attached to the Authority;
- (g) guilty of misconduct in the administration of the Authority;
- (h) addicted to intoxicating liquors or drugs; or
- (i) in the opinion of the State Government, acted against the interest of the Authority.

7. (1) The term of office of the nominated member shall be three years from the date on which he assumes office. Term of office.

- (2) No member shall be nominated for more than two terms.

Casual vacancy.

8. Any casual vacancy arising in the office of a nominated member by reason of his death, resignation, removal or disability or otherwise, before the expiry of his term of office shall be filled up within a period not exceeding six months from the date when such vacancy occurs, in such manner, as may be prescribed and such person shall hold office for the residual period of the term of the member in whose vacancy he has been nominated.

Proceedings not to be invalidated by vacancy.

9. No act or proceedings of the Authority shall be invalid merely on the ground of the existence of any vacancy, absence of member or defect in the constitution of the Authority.

Office and meetings of Authority.

10. (1) The headquarter of the Authority shall be at such place, as may be specified by the State Government.

(2) The Authority shall hold at least one meeting in every three months;

(3) The time and place of meeting shall be such, as may be fixed by the Chairperson;

(4) A meeting of the Authority shall be presided over by the Chairperson or in his absence, by the Senior Vice-Chairperson or any member, as may be authorized by the Chairperson in this behalf.

(5) At least one-half of the members shall form the quorum.

(6) The Authority shall follow such rules of procedure for conduct of its meeting, as may be specified by the regulations.

Powers and functions of Authority.

11. (1) The Authority shall exercise the following powers and perform the following functions, namely: -

- (a) to popularize and disseminate the teachings of Srimad Bhagavad Gita;
- (b) to organize cultural, educational seminars, workshops, fairs, exhibitions and conferences;
- (c) to organize mela;
- (d) to provide civic amenities in the mela area;
- (e) to provide for health facilities in the mela area;
- (f) to provide for supply of clean potable water in the mela area;
- (g) to provide for supply of electricity in the mela area by temporary or permanent structure, as may be permissible and required;
- (h) to provide for a police post for maintaining law and order in the mela area;
- (i) to develop and maintain green zone in and around the mela area;

- (j) to enter into agreement with persons for a short or long term lease to provide and create such infrastructure, as the Authority may decide for better management and administration of mela;
- (k) to decide policy for the augmentation of revenue sources;
- (l) to make arrangements for fund through grants from the State Government or other sources;
- (m) any other function, as may be necessary for carrying out the purposes of this Act.

12. (1) The State Government shall, by notification in the Official Gazette, appoint an officer of the Indian Administrative Services, having a minimum service of at least five years, as the Chief Executive Officer of the Authority.

Chief Executive Officer.

(2) The Chief Executive Officer shall be paid out of the fund, such salary and allowances alongwith such other facilities, as may be fixed by the State Government.

(3) Whenever the Chief Executive Officer is on leave or is unable to discharge his duties, the State Government may appoint any other officer in his place to exercise the powers of the Chief Executive Officer until his return.

(4) The Chief Executive Officer shall exercise direct supervision and control over all officers and employees of the Authority.

13. (1) Subject to the directions, control and supervision of the Authority, the Chief Executive Officer shall monitor the arrangements in respect of all matters relating to organising the mela and shall also have the power to order the organiser or officer for,-

Powers of Chief Executive Officer.

- (a) temporary allotment of space for various purposes during the mela period;
- (b) protection of buildings situated in and around the mela area;
- (c) supply of water and any other material for extinguishing the fire;
- (d) prohibiting entry or use of any explosive material;
- (e) removal of any suspected person suffering from dangerous infectious diseases from the mela area;
- (f) disinfecting any house, residence, building, source of water supply or any other suspected source of infection;
- (g) stopping or removing any person from entering the mela area for maintaining law and order;
- (h) destruction of any food or other material injurious to human health and consumption;

- (i) ensuring systematic and safe darshan by devotees at religious places of worship;
- (j) arrangement of movable and permanent public facilities, medical facilities, electricity and water supply, security, transport and smooth services of the road; and
- (k) to provide a traffic management plan in the mela area during the mela period.

(2) A copy of the order made under any clause of sub-section (1) shall be made available to the organizer or officer concerned.

Staff of Authority.

14. (1) The Authority may appoint such permanent and temporary staff, as it may require, with the approval of the State Government, in such manner and with such qualifications, as may be specified by the regulations.

(2) The salary, allowances payable to and the other terms and conditions of staff of the Authority appointed under sub-section (1) shall be such, as may be specified by the regulations.

(3) The staff shall be under the administrative and disciplinary control of the Chief Executive Officer.

(4) The Authority may obtain the services of the field level officers and employees of the departments of the State Government as well as officers and personnel of local bodies for management of mela who shall act under the guidance of the Chief Executive Officer and in case of non-performance by such officer or personnel, the Chief Executive Officer shall have the powers to recommend action against them, as per provisions of Acts and rules applicable to their services.

(5) The Chief Executive Officer may appoint, in such manner, for such temporary period and on such terms and conditions, such other staff, as he may consider necessary.

Fund.

15. (1) The Authority shall have a fund to which the following shall be credited, namely:-

- (a) any grant received from the State Government or the Central Government;
- (b) any fee, charges, toll and surcharges etc. received by the Authority under this Act;
- (c) any trust, bequests, donations, endowments and other grants; and
- (d) any other sums received on behalf of the Authority.

(2) The fund shall be applied for –

- (a) defraying expenses for smooth functioning of the Authority;

- (b) for organizing melas within or outside the State or anywhere in the world;
- (c) providing amenities to the visitors;
- (d) securing the health, safety and convenience of visitors;
- (e) safety of articles, building and structures in the mela area;
- (f) organizing cultural and educational seminars, workshops, exhibitions and conferences; and
- (g) any other purpose as may be approved by the Authority.

16. The State Government may make to the Authority grants, loans or advances of such sums of money annually, as the State Government may deem necessary and all such grants, loans or advances so made shall be on such terms and conditions, as the State Government may determine. Annual grants, loans and advances to Authority.
17. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, in such manner, as may be prescribed. Accounts and audit.
- (2) The Directorate of Local Audit, Haryana or such authority, as specified by the State Government, by an order, shall audit the accounts annually.
18. The Chief Executive Officer shall prepare for every year a report of activities of the Authority during that year and submit it to the State Government in such form and on or before such date, as may be prescribed and the State Government shall cause the report to be laid before the State Legislature. Annual report.
19. (1) All the amounts payable to the credit of the fund shall be deposited in a separate account either in any nationalized bank or in a State Treasury. Operation of bank accounts.
- (2) The fund shall be operated under the joint signatures of the Chief Executive Officer or such other officer authorised in this behalf by the Chief Executive Officer and Officer in-charge of the accounts deputed by the Finance Department.
20. The Authority may, by an order in writing, delegate to the Chairperson or the Chief Executive Officer or any other officer of the Authority, subject to such conditions and limitations, if any, as may be specified in the order, such powers and functions under this Act, as it may deem necessary. Delegation of powers.
21. All orders and decisions of the Authority shall be authenticated under the signatures of the Chairperson or any other officer authorized by the Authority in this behalf. Authentication of orders.
22. No suit, prosecution or other legal proceedings shall lie against any person for anything, which is in good faith done or intended to be done in pursuance of this Act or rules or regulations made thereunder. Protection of action taken in good faith.

Power to make rules.

23. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall, as soon as possible, after it is made, be laid before the State Legislature.

Power to make regulations.

24. (1) Subject to the provisions of this Act, the Authority shall make regulations to carry out the purposes of this Act and uploaded the same on the website of the Authority.

(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 manner in which the Authority may manage, organize and provide facilities;
- (b) tolls on the parking of vehicle or entry of any vehicle or any person bringing goods for sale or for demonstration or advertisement into the mela area;
- (c) fee on the registration of activity of business, trade or profession;
- (d) fee on the services provided to individual as service charge;
- (e) any other charge and fee in mela area as the Authority thinks fit and necessary in the interest of the mela;
- (f) any other matter which has to be or may be specified by regulations.

(3) The Authority may, from time to time, amend or repeal any regulation and each such regulation, its amendment or repeal, as the case may be, shall come into effect from the date of its uploading on the website of the Authority.

Punishment for offences.

25. (1) Whoever,-

- (a) makes any unauthorised construction; or
- (b) uses any unauthorised place as a latrine, urinal or rubbish dump; or
- (c) plies any profession, trade or calling without a license obtained under the provisions of this Act or bye-laws or commits a breach of the conditions of such license; or
- (d) contravenes any of the provisions of the Act or of any rules or regulations made under this Act; or
- (e) disobeys any order or direction in writing, lawfully issued under this Act,

shall be punished with a simple imprisonment for a term of one month but which may extend upto three months or with a fine which shall not be less than two thousand rupees but which may extend upto ten thousand rupees or with both.

(2) No court shall take cognizance of an offence under this Act except on a complaint made by the Chief Executive Officer or any other officer or official authorized by him.

26. The State Government may, by notification in the Official Gazette confer upon the Authority any of the powers of the Haryana Municipal Act, 1973 (24 of 1973) or the Haryana Municipal Corporation Act, 1994 (16 of 1994) and upon issuance of such notification, the provisions of the sections shall apply to the mela area as if the mela area is the part of a municipality and the Officer In-charge of the Authority is District Municipal Commissioner or Commissioner Municipal Corporation, as the case may be and if there is a contravention of any of the provisions, the same shall be deemed to be a contravention of the said Act.

Applicability of Haryana Municipal Act, 1973 and Haryana Municipal Corporation Act, 1994.

27. The State Government may, from time to time, give such general or specific directions, in writing, to the Authority for the effective implementation of the provisions of this Act.

Power of State Government to give directions.

28. (1) Where the State Government is satisfied that the purpose for which the Authority was established under this Act have been substantially achieved so as to render the continued existence of the Authority in the opinion of the State Government as unnecessary or the Authority is not competent to perform or persistently makes default in the performance of duties imposed on it by or under this Act, the State Government may, by notification in the Official Gazette, declare that the Authority shall be dissolved with effect from such date as may be specified in the notification.

Dissolution of Authority.

(2) From the said date-

- (a) all assets, properties, funds and dues which are vested in or realisable by the Authority shall vest in or be realisable by the State Government;
- (b) all liabilities which are enforceable against the Authority shall be enforceable against the State Government; and
- (c) for the purpose of carrying out any development which has not been fully carried out by the Authority and for the purpose of realising assets, properties, funds and dues referred to in clause (a), the functions of the Authority shall be discharged by the State Government.

Power to remove difficulties.

29. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that no order under this section shall be made after expiry of a period of three years from the date of the commencement of this Act.

(2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State Legislature.

STATEMENT OF OBJECTS AND REASONS

1. As per the Indian tradition, Lord Krishna delivered the eternal message of Srimad Bhagavad Gita to Arjuna on the battlefield of Mahabharata in Kurukshetra. This event is believed to have occurred 36 years prior to the beginning of Kalyuga. Therefore, 5160 years have passed since Lord Krishna delivered the divine message of Srimad Bhagavad Gita. As per the Hindu calendar, Gita Jayanti is celebrated on the 11th day of the bright fortnight (Shukla Paksha) of the month of Margashirsha, which falls sometimes in November and sometimes in December.
2. In order to safeguard the ancient heritage and traditions of Kurukshetra, the Haryana Government established the Kurukshetra Development Board on 1st August, 1968. The Board has been celebrating the Gita Jayanti Mahotsav in Kurukshetra since 1989. Since 2016, the Government of Haryana, in collaboration with the Kurukshetra Development Board, has been celebrating the Gita Jayanti Mahotsav as the International Gita Mahotsav. The aim of this Mahotsav is to share the eternal message of peace, harmony and universal brotherhood that is found in the Bhagavadgita with people around the world.
3. The Mahotsav is a festival celebrated for eighteen days in Kurukshetra, also known as Dharamakshetra or the land of righteousness. This Mahotsav provides an opportunity to showcase the great cultural, religious, historical and spiritual traditions associated with the region. Apart from Kurukshetra, the festival is also celebrated for three days throughout the State of Haryana. The Mahotsav has also been organised outside India in places such as the Republic of Mauritius (February, 2019), United Kingdom (August, 2019), Canada (2022) and Australia (2023).
4. A large number of devotees and people at large, both from the country and abroad, enthusiastically involve themselves with the local people during the period of Mahotsav.
5. Currently, there is no independent authority/body in the State to organize the Gita Jayanti Mahotsav. The State Government has felt the necessity for the establishment and constitution of a statutory authority in the State for management, regulation and organising the Antrarashtriya Gita Mahotsav in a proper and cogent manner as well as to provide better facilities to the pilgrims and visitors during the Mahotsav period. The main functions of the Authority will be to popularise and disseminate the teachings of Srimad Bhagavad Gita as well as organise cultural and educational seminars, workshops, fairs, exhibitions and conferences. Further, it will provide all the essential facilities to the devotees or pilgrims and will have powers & duties as mentioned in the said proposed Bill in the public interest.
6. Therefore, it has been felt necessary to enact the Haryana Antrarashtriya Gita Jyanti Mela Authority Bill, 2024. Hence, the Bill.

DR. KAMAL GUPTA,
Urban Local Bodies Minister, Haryana.

Chandigarh :
The 19th February, 2024.

R. K. NANDAL,
Secretary.

N.B.— The above Bill was published in the Haryana Government Gazette (Extraordinary), dated the 19th February, 2024, under proviso to rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 23 of the proposed Bill empowers the State Government to frame Rules for carrying out the purposes of the Act. This delegation of powers to the Executive is of a normal character. Hence, the memorandum regarding delegated Legislation as required under Rule 126 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly is enclosed.