

Bill No. 146 of 2019

**THE JALLIANWALA BAGH NATIONAL MEMORIAL
(AMENDMENT) BILL, 2019**

A

BILL

further to amend the Jallianwala Bagh National Memorial Act, 1951.

BE it enacted by Parliament in the Seventieth Year of Republic of India as follows:—

1. This Act may be called the Jallianwala Bagh National Memorial (Amendment) Act, 2019. Short title and commencement.

25 of 1951. **2.** In the Jallianwala Bagh National Memorial Act, 1951 (hereinafter referred to as
5 the principal Act), in section 4, in sub-section (1),— Amendment of section 4.

(i) clause (b) shall be omitted;

(ii) for clause (d), the following clause shall be substituted, namely:—

10 "(d) the Leader of Opposition recognised as such in the House of the People or where there is no such Leader of Opposition, then the Leader of the single largest Opposition Party in that House;".

3. In section 5 of the principal Act, the following proviso shall be inserted, namely:— Amendment of section 5.

"Provided that the term of office of a Trustee nominated under clause (g) of sub-section (1) of section 4 may be terminated before the expiry of the period of five years by the Central Government."

STATEMENT OF OBJECTS AND REASONS

The Jallianwala Bagh National Memorial Act, 1951 was enacted to provide for the erection and management of a National Memorial to perpetuate the memory of those killed or wounded on the 13th day of April, 1919, in Jallianwala Bagh, Amritsar. The Act provides for a Trust for the erection and management of the Memorial and also provided for composition of the Trust with certain Trustees for life.

2. Over a period of time, with the passing away of Trustees appointed for life, the situation changed significantly and the Government did not have proper representation on the Trust. Therefore with a view to fill up vacancies caused on account of passing away of the Trustees for life, the Act was amended in the year of 2006, *inter alia*, to change the composition of the Trust, to provide for fixed term of five years for nominated Trustee and for account and audit of the Trust, etc.

3. At present, in the composition of the Trust, certain inconsistencies have been noticed. There is a provision to make a party specific Trustee and for the Leader of Opposition in the Lok Sabha as one of Trustees. The term of nominated Trustees is five years and there is no provision in the Act to terminate a nominated Trustees before the expiry of his term. In view of the absence of designated Leader of Opposition in the Lok Sabha and a Trustees being a party specific, it has been felt necessary to amend the said Act to make it a political and also to provide for termination of nominated Trustees before the expiry of their term.

4. In view of the above, the Jallianwala Bagh National Memorial (Amendment) Bill, 2019, provides for the following, namely:—

(i) to delete "the President of the Indian National Congress" as a Trustee;

(ii) To make "the Leader of Opposition recognised as such in the House of the People or where there is no such Leader of Opposition, then, the Leader of the single largest Opposition Party in that House" a Trustee, in place of "the Leader of opposition in the Lok Sabha"; and

(iii) to confer power upon the Central Government to terminate the term of a nominated trustee before the expiry of the period of his term.

5. The Bill seeks to achieve the above objects.

NEW DELHI:

The 3rd July, 2019

PRAHLAD SINGH PATEL

ANNEXURE

EXTRACTS FROM THE JALLIANWALA BAGH NATIONAL MEMORIAL ACT, 1951

(25 OF 1951)

*	*	*	*	*	
4.	(1)	The Trustees of the Jallianwala Bagh National Memorial shall be the following,			Trustees of the
namely:—					Jallianwala
*			*	*	Bagh National
		(b) the President of the Indian National Congress,			Memorial.
*			*	*	
		(d) the Leader of Opposition in the Lok Sabha,			
*			*	*	
5.		The Trustees nominated under clause (g) of sub-section (1) of section 4 shall be			Term of office
Trustees for a period of five years, and shall be eligible for renomination.					of nominated
*			*	*	Trustees.

LOK SABHA

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BILL

further to amend the Jallianwala Bagh National Memorial Act, 1951.

(Shri Prahlad Singh Patel, Minister of State for Culture and Tourism)

LOK SABHA

CORRIGENDA

to

THE JALLIANWALA BAGH NATIONAL MEMORIAL (AMENDMENT) BILL, 2019
[To be/As introduced in Lok Sabha]

1. Page 1, line 1,-

for "of Republic"

read "of the Republic"

2. Page 2, line 3,-

for "National Memoraial to prepetuate the"

read " National Memorial to perpetuate the"

3. Page 3, line 16,-

for "nominated Trustees"

read "nominated Trustee"

4. Page 3, line 17,-

for "and a Trustees"

read "and a Trustee"

NEW DELHI;

July 5, 2019

Ashadha 14, 1941 (Saka)