

THE UTTAR PRADESH BRAJ [TEERTH VIKASH PARISHAD]¹
ACT, 2015

[U.P. Act No. 5 of 2015]

Amended by

U. P. Act No. 3 OF 2017

[As passed by the Uttar Pradesh Legislature, assented to by the Governor on April 2, 2015 and published in U.P. Gazette Extraordinary on April 6, 2015]

AN

ACT

to provide for the constitution of a [Teerth Vikash Parishad]¹ for the preparation of a plan for preserving, developing and maintaining the aesthetic quality of Braj Heritage in all hues-cultural, ecological and architectural, co-ordinating and monitoring the implementation of such plan and for evolving harmonized policies for integrated tourism development and heritage conservation and management in the region, giving advice and guidance to any Department/Local body/Authority in the District of Mathura in respect of any plan, project or any development proposal which affects or is likely to affect the heritage resources of the Braj region and for matters connected therewith a incidental thereto.

IT IS HEREBY enacted in the Sixty sixth Year of the Republic of India as follows :—

CHAPTER-I

Preliminary

**Short title,
extent and
commencement**

1. (1) This Act may be called the Uttar Pradesh Braj [Teerth Vikash Parishad]² Act, 2015.

(2) It extends to the Braj region situated within the revenue District of Mathura in Uttar Pradesh.

(3) It shall come into force on such date as the State Government may by notification in the *Gazette*, appoint.

Definitions

2. In this Act unless the context otherwise requires.

(a) “Parishad” means the Braj Planning and Development Parishad constituted under section 3;

(b) “Braj Development Plan” means the plan prepared under this Act for the development of the Braj region and for the development of infrastructure facilities for tourism and conservation of the Heritage, both tangible and intangible, in Braj region;

(c) “Braj Region” means the whole of the Braj region situated within the revenue district of Mathura in Uttar Pradesh;

(d) “Chief Executive Officer” means the Chief Executive Officer of the Parishad appointed under section-4;

(e) “Samiti” means the Samiti constituted under section 6;

1. *Subs. by s. 2(a) of U.P. Act No. 3 of 2017.*

2. *Subs. by ibid.*

(f) “Executive Committee” means the Committee constituted under sub-section (1) of section 5;

(g) “Implementing agency” means a department of the State Government or a Local Body in Mathura district or a public undertaking under the jurisdiction of the State Government or the Government of India.

(h) “Land” includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth.

(i) “Local Body” means a Development Authority, Municipal Body or any other local authority concerned with the urban development of the Braj region;

(j) “Member” means a member of the Parishad or the Samiti and includes its Chairperson;

(k) “Participating Department” means the State Government Department or a Local body in Mathura District;

(l) “Prescribed” means prescribed by rules made under this Act;

(m) “Project Plan” means a detailed plan prepared to implement one or more elements of the Braj Development Plan;

(n) “Regulations” means regulations made by the [Parishad]¹ under this Act;

(o) “Rule” means a rule made under this Act by the State Government.

(p) “Vice-Chairperson” means a person appointed by the State Government as full time Vice-Chairperson.²

CHAPTER-II

The Braj [Teerth Vikash Parishad]³

Constitution and Incorporation of the Parishad⁴

3. (1) The State Government shall, by notification in the *Gazette*, constitute for the purposes of this Act, a Parishad to be called The Braj Planning and Development Parishad ;

(2) The Parishad shall be a body corporate.

(3) The Parishad shall consist of the following members, namely :—

(a) the Chief Minister, Uttar Pradesh who shall be the Chairperson of the Parishad;

[(b) the Vice-Chairperson.]⁵

(c) the Principal Secretary to the State Government in the Department of Housing and Urban Planning, *ex-officio*;

(d) the Principal Secretary to the State Government in the Department of Finance, *ex-officio*;

(e) the Principal Secretary to the State Government in the Department of Tourism and Culture, *ex-officio*;

(f) the Principal Secretary to the State Government in the Department of Urban Development, *ex-officio*;

(g) the Principal Secretary to the State Government in the Department of Transport, *ex-officio*;

1. *Subs. by s. 2(a) of U.P. Act No. 3 of 2017.*

2. *Subs. by s. 3 of U.P. Act No. 3 of 2017.*

3. *Subs. by ibid.*

4. *Subs. by ibid.*

5. *Subs. by s. 4 of U.P. Act No. 3 of 2017.*

(h) the Principal Secretary to the State Government in the Department of Forest, *ex-officio*;

(i) the Principal Secretary to the State Government in the Department of Environment, *ex-officio*;

(j) the Principal Secretary to the State Government in the Department of Public Work, *ex-officio*;

(k) the Commissioner, Agra Division, Agra, *ex-officio*;

(l) the District Magistrate Mathura, *ex-officio*;

(m) the Chief Town and Country planner, Uttar Pradesh, *ex-officio*;

(n) the Chief Executive Officer of the Parishad who shall be the Member-Secretary;

(o) the Vice-Chairperson, Mathura-Vrindavan Development Authority, Mathura, *ex-officio*;

[(p) five eminent public figure having knowledge, experience, exposure and track record of efforts for the conservation of heritage of Braj region, to be nominated by the Chairperson in consultation with the Vice-Chairperson, the Principal Secretary/Secretary Culture and the Principal Secretary/Secretary Tourism to the State Government.]¹

(q) donors who make a donation of Rs. 10 crores or more shall be eligible to be considered as a nominated member after the approval of the [Parishad]².

(4) The terms and conditions of office of the members nominated under clause (p) and clause (q) of sub-section (3) shall be such as may be prescribed.

The Chief Executive Officer

4. (1) There shall be the Chief Executive Officer of the [Parishad]² to be appointed by the State Government from amongst the officers not below the rank of Special Secretary of the State Government.

(2) The Chief Executive Officer shall be the whole-time officer of the [Parishad]² and all the officers and employees appointed by the Parishad shall be under the administrative control of the Chief Executive Officer.

(3) [The Vice-Chairperson and the Chief Executive Officer]³ shall be entitled to receive from the fund of the [Parishad]² such salaries and allowances and be governed by such conditions of service as may be determined by general or special order of the State Government in this behalf.

(4) All orders and decisions and other instruments of the [Parishad]² shall be authenticated by the signature of the Chief Executive Officer.

The Executive Committee

5. (1) There shall be an Executive Committee to exercise the powers and the functions of the [Parishad]² in the event of an emergent or other time-sensitive matter when it is not practicable to assemble the entire [Parishad]². The Executive Committee shall comprise all the *ex-officio* members of the [Parishad]² and shall be chaired by the Vice-Chairperson.

(2) The [Parishad]² shall, in its next meeting, review the minutes of the Executive Committee and may modify, reject or ratify the actions taken by the Executive committee.

1. Ins. by s. 4 (b) of U.P. Act No. 3 of 2017.

2. Subs. by s. 2(a) of U.P. Act No. 3 of 2017.

3. Subs. by s. 5 of U.P. Act No. 3 of 2017.

**Composition of
the Braj
Planning and
Development
Samiti]¹**

6. (1) The [Parishad]² shall as soon as may be, after the commencement of this Act, constitute a [Samiti]¹, to be called the [Planning and Development Samiti,]¹ for assisting the [Parishad]² in the discharge of its functions.

(2) The [Samiti]¹ shall consist of the following members, namely :-

- [(a) the District Magistrate, who shall be the Chairperson;²
- [(b) the Chief Executive Officer who shall be the member secretary.]]²
- (c) the Senior Superintendent of Police, Mathura, *ex-officio*;
- (d) the Vice-[Chairperson]¹, Mathura-Vrindavan Development Authority, Mathura, *ex-officio*;
- (e) the Chief Executive Officer Cantonment [Parishad]², Mathura or his nominee not below the rank of the Captain in the army, *ex-officio*;
- (f) the Associate Planner, Town and Country Planning, Agra Division, Agra, *ex-officio*;
- (g) the [Chairperson]¹ of every Local Body in the Mathura District, *ex-officio*;
- (h) the Chief Engineer, Mathura-Vrindavan Development Authority, Mathura, *ex-officio*;
- (i) the Superintending Engineer, Public Works Department, Mathura, *ex-officio*;
- (j) the Superintending Engineer, Irrigation Department, Mathura, *ex-officio*;
- (k) the Superintending Engineer, Dakshinanchal Vidyut Vitran Nigam Limited (Urban & Rural), Mathura, *ex-officio*;
- (l) the Superintending Engineer, Jal Nigam, Mathura, *ex-officio*;
- (m) the District Forest Officer, Mathura, *ex-officio*;
- (n) the Regional Officer, Pollution Control [Parishad]², Mathura, *ex-officio*;
- (o) the Archaeological Superintendent, Mathura, *ex-officio*;
- (p) District Tourism Officer, Mathura, *ex-officio*;
- (q) the Deputy Director, Government Museum, Mathura, *ex-officio*;
- (r) a Landscape Designer & Interpretive planner to be nominated by the State Government;
- (s) an Environmentalist having experience of The Braj region, to be nominated by the State Government;
- (t) an Eminent historian having experience in the cultural and mythological history of Braj Region, to be nominated by the State Government;
- (u) a Litterateur or an Artist of repute having experience of the Braj region, to be appointed by the State Government;
- (v) an Eminent district lawyer, to be appointed by the State Government;
- (w) two eminent public representative or Social Worker, to be appointed by the State Government;

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

2. [Ins. by s. 6 of U.P. Act No. 3 of 2017.](#)

(x) donors who make a donation of Rs. 5 crores or more but less than Rs. 10 crores shall be eligible to be considered as a nominated member after the approval of the [Parishad].¹

(3) The terms and conditions of office of the members nominated under clause (r), (s), (t), (u), (v), (w), and (x) of sub-section (2) shall be such as may be prescribed.

Power to co-opt

7. (1) The [Parishad or the Samiti]¹ may, at any time and for such period as it thinks fit, co-opt any person or person as a member or members of the [Parishad or the Samiti].¹

(2) A person co-opted under sub-section (1) shall exercise and discharge all the powers and functions of a member of the [Parishad]¹ or of the Samiti, as the case may be, but shall not be entitled to vote.

Headquarters of the Parishad¹

8. The Headquarters of the [Parishad]¹ shall be at Mathura.

Meetings of the Parishad¹

9. The [Parishad]¹ shall meet at such times and at such place as may be determined by the Parishad from time to time.

Meetings of The [Samiti]¹

10. The [Samiti]¹ shall meet at such times as may be decided by the [Chairperson]¹ of the [Samiti]¹ but the time of two consecutive meetings shall not exceed [sixty days]².

Vacancies etc. not to invalidate proceedings of the [Parishad]¹ or the Samiti]¹

11. No act or proceeding of the [Parishad or of the Samiti]¹ shall be invalid merely by reason of the existence of any vacancy in, or any defect in the constitution of the [Parishad or the Samiti]¹ as the case may be.

CHAPTER-III

Powers and Functions of the [Parishad and of the Samiti]¹

Powers of the Parishad¹

12. The powers of the [Parishad]¹ shall include the powers to.

(a) call for reports and information from the Participating Department with regard to preparation, enforcement and implementation of the Braj Development Plan and the Projects;

(b) ensure that the preparation, enforcement and implementation of the Plan or the Project, as the case may be, is in conformity with the Braj Culture and Architecture;

(c) indicate the stages for the implementation of the Plan ;

(d) review the implementation of the Plan and the Projects;

(e) select and approve comprehensive projects from the Participating Departments, call for priority development and provide such assistance for the implementation of those projects as the [Parishad]¹ may deem fit ;

(f) levy fee or charges for providing services and facilities or for maintenance and development thereof from the tourists;

(g) *suo-moto* take up any work/project in order to promote and secure the development, re-development and beautification of any area in the entire Braj region;

(h) select an Implementing Agency for preparation and implementation of any Project plan;

(i) entrust to the [Samiti]¹ such other functions as it may consider necessary to carry out the provisions of this Act.

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

2. [Subs. by s. 7 of U.P. Act No. 3 of 2017.](#)

**Functions of the
[Parishad]¹**

13. The functions of the [Parishad]¹ shall be :-

(a) to ensure the preparation of the Braj Development Plan;

(b) to arrange for the preparation of projects by any of the Participating Departments;

(c) to co-ordinate the enforcement and implementation of the Plan and the Project through any one or more of the Participating Departments or Implementing Agency;

(d) to ensure proper and systematic programming by the participating departments in regard to project formulation, determination of priorities in the Braj region and phasing of development of infrastructural facilities for tourism and conservation of the Braj Heritage in accordance with stages indicated in the Plan;

(e) to make concerted efforts in the direction of professionally enhancing awareness and interest in intangible cultural heritage, safeguarding, promoting and propagating it systematically;

(f) to ensure conservation of rivers and undertake measures for pollution control and development of river fronts and water bodies;

(g) to formulate Architectural Regulations to bring about an uniformity of the buildings and structures in conformity with the heritage architecture of the region;

(h) to formulate policies to ensure co-ordination between various stakeholders-Government Departments. Local Bodies, Temple Management/Trusts. Self Help Groups. Researchers and Scholars for integrated development of tourism infrastructure and activities/projects for strengthening, protecting. Preserving and promoting the rich cultural heritage of the Braj region;

(i) to arrange for and oversee, the financing of selected development projects in the Braj region through State funds and other sources of revenue like funds from Temple Trusts, donations, Non-government Organization, company/firms and tourists, etc.

**Function of the
Samiti¹**

14. (1) The functions of the [Samiti]¹ shall be to assist the [Parishad]¹ in :-

(a) the preparation and co-ordinated implementation of the Braj Development Plan and the Projects;

(b) scrutinizing the projects of the Participating Department or and Implementing Agency to ensure that the same are in conformity with the Braj Development Plan;

(c) make such recommendations to the [Parishad]¹ as it may think necessary to amend or modify any Plan;

(d) co-ordinate and implement different projects at the district level;

(e) perform such other functions in connection with the administration of this Act, as may be entrusted to it by the [Parishad]¹.

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

(2) Different government departments in the district having departmental budget sanctions and other implementing agencies shall also co-ordinate with the Samiti to ensure convergence and co-ordination of their schemes/projects with those which are under the Braj Development Plan.

CHAPTER-IV

The Braj Development Plan and the Project Plans

Contents of the Braj development Plan

15. (1) The Braj Development Plan shall be a written statement and shall be accompanied by such maps, diagrams, illustrations and descriptive matters, as the [Parishad]¹ may deem appropriate for the purpose of explaining or illustrating the proposals contained in the plan and every such map, diagram, illustration and descriptive matter shall be deemed to be a part of the Braj Development Plan.

(2) The Braj Development Plan shall indicate the manner in which the development activities in the Braj region shall be carried out or conservation and such other matters as are likely to have any important influence on the development of the tourism in Braj region and conservation of Braj Heritage and every such Plan shall include the following elements needed to promote growth of tourism and balanced development of the Braj Region, namely :-

(a) the policy in relation to land-use and the allocation of land for different uses;

(b) the proposals for major urban settlement pattern and architectural regulations ;

(c) the proposals for providing suitable economic base for future growth ;

(d) the proposals regarding transport and communications including railways and arterial roads serving the region ;

(e) the proposals for the supply of drinking water and for drainage ;

(f) indication of the areas which require immediate development as “priority areas”;

(g) the proposals for concerted efforts in the direction of professionally enhancing awareness and interest in intangible cultural heritage safeguarding, promoting and propagating it systematically;

(h) such other matters as may be included by the [Parishad]¹ with the concurrence of the Participating Departments for the proper planning for the growth and balanced development of the Braj Region.

Surveys and Studies

16. For the preparation of the Braj Development Plan, the [Parishad]¹ may cause such surveys and studies, as it may consider necessary, to be made by such Participating Departments or persons as it may appoint in this behalf and may also associate such experts or consultants for carrying out studies in relation to such specific matters as may be determined by the [Parishad]¹.

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

Procedure to be followed for preparation of the Braj Development Plan

17. (1) Before preparing any Development Plan finally. The [Parishad]¹ shall prepare with the assistance of the Samiti, a Plan in draft and publish it by making a copy thereof available for inspection and publishing a notice in such form and in such manner as may be prescribed, inviting objections and suggestions from any person with respect to the draft Plan before such date as may be specified in the notice.

(2) The [Parishad]¹ shall also give reasonable opportunities to every local authority/department, within whose local limits any land touched by the Plan is situate, to make any representation with respect to the draft Plan.

(3) After considering all objections, suggestions and representations that have been received by the [Parishad],¹ the [Parishad]¹ shall finally prepare the Braj Development Plan.

Date of coming into operation of the Braj Development Plan

18. (1) Immediately after the Plan has been finally prepared, the [Parishad]¹ shall publish in such manner as may be prescribed a notice stating that the Plan has been finally prepared by it and naming the places where a copy of the Plan may be inspected at all reasonable hours and upon the date of first publication of the aforesaid notice, the Plan shall come into operation.

(2) The publication of the plan, after previous publication, as required by section 17, shall be conclusive proof that the Braj Development Plan has been duly prepared.

Modifications of the plan

19. (1) The [Parishad]¹ may, subject to the provisions of sub-section (2), make such modification in the Plan as finally prepared by it, as it may think fit, being modifications which, in its opinion, do not effect important alteration in the character of the Plan and which do not relate to the extent of land-uses or the standards of population density.

(2) Before making any modifications in the finally prepared Plan the [Parishad]¹ shall publish a notice in such form and in such manner as may be prescribed, indicating there in the modifications which are proposed to be made in the finally prepared Plan, and inviting objections and suggestions from any person with respect to the proposed modifications before such date as may be specified in the notice and shall consider all objections and suggestions that may be received by it on or before the date so specified.

(3) Every modification made under this section shall be published in such manner as the Parishad may specify and the modifications shall come into operation either on the date of such publication or on such later date as the [Parishad]¹ may fix.

(4) If any question arises whether the modifications proposed to be made are modifications which effect important alterations in the character of the Plan, it shall be decided by the [Parishad]¹ whose decision thereon shall be final.

Review and revision of the Plan

20. (1) After every five years from the date of coming into operation of the finally prepared Plan, the [Parishad]¹ shall review such Plan in its entirety and may, after such review substitute it by a fresh Plan or may make such modifications or alterations therein as may be found by it to be necessary.

(2) Where it is proposed to substitute a fresh Plan in place of the Plan which was previously finally prepared or where it is proposed to make any modifications or alterations in the finally prepared Plan, such fresh Plan or, as the case may be, modifications or alterations, shall be published and dealt with in the same manner as if it were the Plan referred to in sections 17 and 18 or as if they were the modifications or alterations in the Plan made under section 19.

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

Preparation of the Project Plan co-ordination and convergence

21. (1) A Participating Department may, by itself or in collaboration with one or more of the participating departments as the case may be, prepare Project Plans for one or more elements of the Braj Development Plan.

(2) Various participating departments in the district, receiving grants, loans or budget sanctioned by the State Government, shall ensure convergence/co-ordination of their departmental schemes with the schemes/projects under the Braj development Plan.

CHAPTER-V

Finance, Accounts and Audit

Grants and loans by the Government

22. The State Government may after due appropriation made by Legislature by law in this behalf, make to the [Parishad]¹ grants, advances and loans of such sums of money as it may consider necessary to enable the [Parishad]¹ to carry out its functions under this Act.

Constitution of the Fund

23. (1) There shall be constituted a Fund to be called the Braj Planning and Development Parishad Fund, to be maintained in a separate bank account of its own and there shall be credited thereto :-

(a) any grants and loans made to the [Parishad]¹ by the State Government under section 22;

(b) all sums paid to the [Parishad]¹ by the participating departments; and

(c) sums received from other sources such as Temple Trusts, donations from Non-government Organizations, companies, firms and individuals, etc; and

(d) any other sums received by the [Parishad]¹ from such other sources as may be decided upon by the State Government in consultation with the [Parishad]¹.

(2) The sums credited to the Fund referred to in sub-section (1) shall be applied for—

(a) meeting the salaries allowances and other remuneration of the Chief Executive Officer. Additional Chief Executive Officer, the Finance Officer and other officers and employees of the [Parishad]¹ and for meeting other administrative expenses of the [Parishad]¹;

(b) conducting surveys, preliminary studies and drawing up of plans/projects for the Braj Region;

(c) providing financial assistance to the participating Departments and Implementing Agencies for the implementation of Braj Development Plan and the project subject to such terms and conditions as may be decided by the [Parishad]¹;

(d) meeting any other expenses incurred by the [Parishad]¹ in the administration of this Act.

Budget

24. The [Parishad]¹ shall prepare in such form and at such time every year as the State Government may specify, a budget for the financial year next ensuing and forward the same to the State Government at least 90 (ninety) days prior to the commencement of the next financial year.

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

Annual Report

25. The [Parishad]¹ shall prepare for every year a report of its activities during that year and submit the report to the State Government in such form and on or before such date as the State Government may specify and such report shall be laid before both Houses of the State Legislature.

Accounts and audit

26. (1) The [Parishad]¹ shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as the State Government may specify.

(2) The accounts of the [Parishad]¹ shall be subject to audit annually by the Examiner, Local Fund Accounts and /or the State Government may entrust the audit to the Accountants General, Uttar Pradesh or Comptroller and Auditor General of India or to any other Auditor on such terms and conditions, in such manner, for such period and at such times as may be agreed upon between him and the State Government.

(3) The rights, authority and privileges of any person conducting audit under sub-section (2) shall.

(a) in the case of Examiner, Local Fund Accounts be the same as he has in connection with the audit of the accounts of local authority;

(b) in the case of the Accountant General Uttar Pradesh or as the case may be, the Comptroller and Auditor General of India. be the same as he has in connection with the audit of Government accounts: and

(c) in the case of any other auditor, be as prescribed;

(4) The [Parishad]¹ shall furnish to the State Government annually or at such times as may be directed by it, a copy of its audited accounts together with the auditor's report thereon.

Annual report and Auditor's report to be laid before the State Legislature

27. (1) The State Government shall cause the annual report and the auditor's report to be laid as soon as may be after their receipts, on the table of each House of the State Legislature while it is in session.

[(2) The Vice-Chairperson shall constitute a technical team in consultation with the Principal Secretary/Secretary of such departments as are members of the Parishad comprising experts of different fields. The team will examine from time to time the work done by the Parishad and submit its report to the Vice-Chairperson.

(3) There shall be a legal advisor to advise the [Parishad]¹ in legal matters, who shall be appointed in consultation with judicial department of the State Government.]²

CHAPTER-VI

Acquisition and Disposal of Land

Acquisition of Land for the purpose of the Act

28. (1) If, in the opinion of the State Government, any land is required for the purpose of the development or for any other purpose under this Act, the State Government may acquire such land under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [Act no. 30 of 2013].

1. [*Subs. by s. 2 of U.P. Act No. 3 of 2017*](#)

2. [*Ins. by s. 8 of U.P. Act No. 3 of 2017.*](#)

(2) Where any land has been acquired by the State Government it may, after it has taken possession of the land, transfer the land to the [Parishad]¹ for the purpose for which the land has been acquired on payment by the Parishad of the compensation awarded under the Act referred to in sub-section (1) and of the charges incurred by the State Government in connection with the acquisition.

(3) Subject to any directions given by the State Government in this behalf, the land acquired by the State Government and transferred to the Parishad can be transferred by the Parishad to such persons, in such manner and subject to such terms and conditions as it may consider expedient for securing the development of the Braj region after undertaking or carrying out such development as it thinks fit for the purpose of this Act.

No change of purpose allowed

29. No change of purpose or related purposes for which land is originally sought to be acquired shall be allowed except for as provided in the Act referred to in sub-section (1) of section 28.

Return of unutilized land

30. When any land acquired for the purpose of this Act remains unutilized it shall be disposed of according to the provisions of the Act referred to in sub-section (1) of section 28.

CHAPTER-VII

Miscellaneous

Provisions to be in addition to existing laws

31. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other act or law for the time being in force.

Power of the State Government to give directions

32. The State Government may from time to time, give such directions to the Parishad as it may think fit for the efficient administration of this Act and the Parishad shall be bound to comply with such directions.

Technical Assistance to the [Parishad/Samiti]¹

33. (1) The State Government may direct any of its Departments to provide, on such terms and conditions as may be mutually agreed upon, such technical assistance to the Parishad as it may consider necessary.

(2) With a view to enabling the Samiti to discharge its functions the Parishad shall, out of the technical assistance received by it under subsection (1) make available to the Samiti such technical assistance as the Samiti may require.

Officers and employees of the Parishad

34. (1) The State Government may appoint two suitable persons respectively as Additional Chief Executive Officer and the Finance Officer of the [Parishad]¹ who shall exercise such powers and perform such duties as may be prescribed by regulations or delegated to them by the [Parishad]¹ or the Chief Executive Officer.

(2) Subject to such control and restrictions as may be determined by general or special order of the State Government the Parishad may appoint such number of other officers and employees as may be necessary for the efficient discharge of its functions under this Act and may, subject to any rules that may be made in this behalf, make appointments on such posts and determine the designations and grades of persons so appointed.

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

(3) the qualifications, terms and conditions of service and functions and duties of officers and employees appointed under sub-section (2), shall be such as may be prescribed.

(4) The Additional Chief Executive Officer, the Finance Officer and other officers and employees of the [Parishad]¹ shall be entitled to receive from the Fund of the Parishad such salaries and allowances as may be determined by the State Government in this behalf.

Delegation

35. The [Parishad]¹ may, by general or special order, direct that any function or power (other than the power to approve the Development Plan and to make regulations) or duty performed, exercised or discharged by it under to this Act or the rules made thereunder shall subject to such conditions, if any, as may be specified in such order be performed, exercised or discharged also by such officer as may be specified in the said order and where any such delegation of power is made the officer to whom such power is delegated shall perform, exercise or discharge those powers.

Power of entry

36. Subject to any rules made in this behalf, any person generally or specially authorized by the [Parishad]¹ in this behalf, may at all reasonable times, enter upon any land or premises and do such things. Thereon as may be necessary for the purpose of lawfully carrying out any works or for making any survey, examination or investigation, preliminary or incidental to the exercise of any power or performance of any function by the [Parishad]¹ under this Act;

Provided that no such person shall enter any building or any enclosed courtyard or garden attached to a dwelling-house without previously giving the occupier thereof at least three days' notice in writing of his intention to do so.

Officer and employees of the [Parishad]¹ to be public servants

37. The Officer and other employees of the [Parishad]¹ shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code [Act No. 45 of 1860].

Protection of action taken in good faith

38. No suit prosecution or other legal proceeding shall lie against the [Parishad]¹ or [Samiti]¹ or any member or any officer or any other employee of the [Parishad]¹ including any other person authorized by the [Parishad]¹ for exercise any power or to discharge any function under this Act, or for anything which is in good faith done or intended to be done under this Act.

Power to make rules

39. (1) The State Government may by notification in the *Gazette*, make rules to carry out the purposes of this Act.

(2) without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the terms and conditions of the office of the member as required by sub-section (4) of section 3 and sub-section (3) of section 6;

(b) the form and manner in which notice under sub-section (1) of section 17 and sub-section (2) of section 19 shall be published ;

[1. Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

(c) the manner in which notice under sub-section (1) of section 18 shall be published;

(d) any other matter which is to be, or may be prescribed or in respect of which provision is to be, or may be made by rules.

Power to make regulations

40. (1) The [Parishad]¹ may, with the previous approval of the State Government by notification in the *Gazette* make regulations not inconsistent with this Act and the rules made thereunder to carry out the provisions of this Act.

(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 and the purposes for which the Parishad may associate with itself any person under section 16;

(b) the terms and conditions of service of the officers and employees of the [Parishad]¹ under subsection (3) of section 34;

(c) any other matter in respect of which provision is to be, or may be made by Regulations.

Dissolution of the [Parishad]¹

41. (1) Where the State Government is satisfied that the purposes for which the [Parishad]¹ was established under this Act have been substantially achieved or the Parishad has failed in its objectives, so as to render continued existence of the Parishad in the opinion of the State Government unnecessary, that the State Government may, by notification in the *Gazette*, declare that the [Parishad]¹ shall be dissolved with effect from such date as may be specified in the notification; and the [Parishad]¹ shall be deemed to be dissolved accordingly.

(2) From the said date –

(a) all properties, funds and dues which are vested in or realizable by the [Parishad]¹ shall vest in or be realizable by the State Government;

(b) all liabilities which are enforceable against the Parishad shall be enforceable against the State Government;

(c) for the purpose of carrying out any development which has not been fully carried out by the Parishad and for the purpose of realizing properties, funds and dues referred to in clause (a) the functions of the [Parishad]¹ shall be discharged by the State Government.

(3) Nothing in this section shall be construed as preventing the State Government from reconstituting the [Parishad]¹ in accordance with the provisions of this Act.

Power to remove difficulties

42. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, for removing such difficulty, by order published in the *Gazette* direct that the provision of this Act shall, during such period as may be specified in the order, have effect subject to such adaptations, whether by way of modification addition or omission, as it may deem to be necessary and expedient.

(2) No order under sub-section (1) shall be made after the expiration of a period of two years from the date of commencement of this Act.

1. [Subs. by s. 2 of U.P. Act No. 3 of 2017.](#)

STATEMENT OF OBJECTS AND REASONS

Being the birth place of God Lord Krishna, the importance of Braj region is well known. Several Historical, Cultural, Archaeological places are situated in Braj region of Mathura District, where the tourist and the people having faith and allegiance come from different parts of India and foreign countries. Due to absence of structural and other facilities they have to face various difficulties. In the district of Mathura department wise development works are being done but there is no agency to co-ordinate the development works of the various departments. Therefore an agency is needed for preserving maintaining and developing the Braj Heritage and for making the integrated development by monitoring and co-ordinating the plans and projects of various departments working in Mathura District. It has, therefore, been decided to make a law to provide for the establishment of the Braj Teerth Vikash Parishad for co-ordinating the planned development of the Braj region situated in Mathura District.

The Uttar Pradesh Braj Teerth Vikash Parishad Bill, 2015 is introduced accordingly.

