

No. 807(2)/LXXIX-V-1-21-1(ka)-24-21

Dated Lucknow, August 24, 2021

IN pursuance of the provisions of clause (3) of article 348 of the constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Vindhya Dham Tirth Vikas Parishad Adhiniyam, 2021 (Uttar Pradesh Adhiniyam Sankhya 28 of 2021) as passed by the Uttar Pradesh legislature and assented to by the Governor on August, 24, 2021. The Paryatan Anubhag is administratively concerned with the said Adhiniyam

THE UTTAR PRADESH VINDHYA DHAM TEERTH VIKAS PARISHAD
ACT, 2021

(U.P. Act no, 28 of 2021)

[As passed by the Uttar Pradesh Legislature]

AN

Act

to provide for the constitution of Pradesh Vindhya Dham Teerth Vikas Parishad for the preparation of a plan for preserving, developing and maintaining the aesthetic quality of Vindhyachal 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 Mirzapur in respect of any plan, project or any development proposal which affects or is likely to affect the heritage resources of the Vindhyachal region and for matters connected therewith or incidental thereto.

IT IS HEREBY enacted in the Seventy Second 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 Vindhya Dham Teerth Vikas Parishad Act, 2021.

(2) It extends to the Vindhyachal region situated within the revenue District of Mirzapur 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) "Chief Executive Officer" means the Chief Executive Officer of the Parishad appointed under section 4;

(b) "Executive Committee" means the Executive Committee constituted under sub-section (1) of section 5;

(c) "Executive Vice-Chairperson" means the Executive Vice-Chairperson of the parishad appointed under section 4;

(d) "Implementing agency" means a department of the State Government or a Local Body in Mirzapur district or a public undertaking under the jurisdiction of the State Government or the Government of India chosen for preparation and/or implementation of any Project plan;

(e) "Land" includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;

(f) "Local body" means a Development Authority, Municipal Body or any other local authority concerned with the urban development of the Vindhyachal region or any Gram Panchayat;

(g) "Member" means a member of the Parishad or the Planning and Development Committee and includes the Chairperson thereof;

(h) "Parishad" means the Vindhya Dham Teerth Vikas Parishad constituted under section 3;

(i) "Participating Department" means the State Government Department or a Local Body in Mirzapur District whose activities have or are likely to have bearing on the functions of the Parishad;

(j) "Plan" means the Vindhya Dham Teerth Vikas Plan prepared under this Act for the development of the Vindhayachal region and for the development of infrastructure facilities for tourism and conservation of the Heritage, both tangible and intangible, in Vindhyachal region;

(k) "Planning and Development Committee" means the Planning and Development Committee constituted under section 6;

(l) "Project Plan" means a detailed plan prepared to implement one or more elements to the Plan;

(m) “Regulations” means regulations made by the Parishad under section 41;

(a) “Vindhyachal Region” means the whole of the area within the revenue district of Mirzapur in Uttar Pradesh;

CHAPTER II

THE VINDHYA DHAM TEERTH VIKAS PARISHAD

Constitution and
incorporation of the
Parishad

3. (1) The State Government shall, by notification in the *Gazette*, constitute for the purpose of this Act, a Parishad, to be called the Vindhya Dham Teerth Vikas 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) Vice-Chairperson- The Minister of Tourism Department Government of Uttar Pradesh.
 - (c) Members of each House of the State Legislature of district Mirzapur, *ex-officio*;
 - (d) Executive Vice-Chairperson- Appointed by Government of Uttar Pradesh.
 - (e) Member Co-ordinator The Principal Secretary to Government of Uttar Pradesh in the Department of Tourism, *ex officio*;
 - (f) the Principal Secretary to the Government of Uttar Pradesh in the Department of Housing and Urban Planning, *ex officio*;
 - (g) The Principal Secretary to the Government of Uttar Pradesh in the Department of Finance, *ex officio*;
 - (h) The Principal Secretary to the Government of Uttar Pradesh in the Department of Culture, *ex officio*;
 - (i) The Principal Secretary to the Government of Uttar Pradesh in the Department of Religious Affairs, *ex officio*;
 - (j) The Principal Secretary to the Government of Uttar Pradesh in the Department of Urban Development, *ex officio*;
 - (k) The Principal Secretary to the Government of Uttar Pradesh in the Department of Transport, *ex officio*;
 - (l) The Principal Secretary to the Government of Uttar Pradesh in the Department of Environment, Forest and Climate change, *ex officio*;
 - (m) The Principal Secretary to the Government of Uttar Pradesh in the Department of Public Works, *ex officio*;
 - (n) The Commissioner, Vindhyachal Division, Mirzapur, *ex officio*;
 - (o) The District Magistrate, Mirzapur, *ex officio*;
 - (p) Senior Superintendent of Police/Superintendent of Mirzapur, *ex officio*;
 - (q) The Chief Town and Country Planner, Uttar Pradesh, *ex officio*;

(r) The Chief Executive Officer of the Parishad who shall be the Member-Secretary.

(s) The Vice Chairperson, Mirzapur-Vindhyachal -Development Authority, Mirzapur, *ex officio*;

(t) The Executive Officer Vindhyachal Nagar Palika Parishad , *ex officio*

(u) five eminent persons having knowledge, experience, exposure and track record of efforts for the conservation of heritage of Vindhyachal region, to be nominated by the Chairperson in consultation with the State Government;

(v) Donors who make a donation of Rs. Ten crore or more shall be eligible to be considered as a nominated member after the approval of the Parishad.

The Executive Vice-Chairperson and The Chief Executive Officer

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

4 (1) There shall be an Executive Vice-Chairperson of the Parishad to be appointed by the State Government

(2) The Executive 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 executive vice-chairperson.

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

(4) The Chief Executive Officer shall be the officer of the Parishad and all the officers and employees appointed by the Parishad shall be under the administrative control of the Chief Executive Officer.

The Executive Committee

(5) The Executive Vice-Chairperson and the Chief Executive Officer shall be entitled to receive from the fund of the Parishad 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.

Composition of the Planning and Development Committee

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

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

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

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

(2) The Planning and Development Committee shall consist of the following members,

namely:-

- (a) the District Magistrate, Mirzapur, who shall be the Chairperson, *ex officio*;
- (b) the Chief Executive Officer, who shall be the member secretary,;
- (c) the Superintendent of Police, Vindhyachal, *ex officio*;
- (d) the Vice-Chairperson, Mirzapur-Vindhyachal Development Authority, Mirzapur, *ex officio*;
- (e) the Executive Officer, Vindhyachal Nagar Palika Parishad, *ex officio*
- (f) the Associate Planner, Town and Country Planning, Vindhyachal Division, Mirzapur, *ex officio*;
- (g) the Chairperson of every Local Body in the Mirzapur District, *ex officio*;
- (h) the Chief Engineer, Mirzapur-Vindhyachal Development Authority, Mirzapur, *ex officio*;
- (i) the Superintending Engineer, Public Works Departments, Mirzapur, *ex officio*;
- (j) the Superintending Engineer, Jal Shakti Department, Mirzapur, *ex officio*;
- (k) the Superintending Engineer, Dakshinanchal Vidyut Vitran Nigam Limited (Urban and Rural), Mirzapur, *ex officio*;
- (l) the Superintending Engineer, Uttar Pradesh Jal Nigam, Mirzapur, *ex officio*;
- (m) the Divisional Forest Officer, Mirzapur, *ex officio*;
- (n) the Regional Officer, Pollution Control Parishad, Sonbhadra, *ex officio*;
- (o) the Superintendent Archaeologist, Varanasi, *ex officio*;
- (p) the Regional Tourist Officer, Varanasi, *ex officio*;
- (q) a Landscape Designer and interpretive planner, to be nominated by the State Government;
- (r) an Environmentalist having experience of Vindhyachal region, to be nominated by the State Government;
- (s) an Eminent historian having experience in the cultural and mythological history of Vindhyachal Region, to be nominated by the State Government;
- (t) a Litterateur or an Artist of repute having experience of the Vindhyachal region, to be appointed by the State Government;
- (u) an Eminent lawyer, to be appointed by the State Government;
- (v) two eminent public representative or Social Worker, to be appointed by the State Government;
- (3) The terms and conditions of office of the members nominated under clauses (q), (r), (s), (t), (u) and (v) of sub- section (2) shall be such as may be prescribed.

7. (1) The Parishad or the Planning and Development Committee may meet at any time and for such period as it thinks fit, co-opt any person or persons as a member or members of the Parishad or of the Planning and Development Committee.

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

Headquarters of the Parishad
Meetings of the Parishad

8. The headquarter of the Parishad shall be at Mirzapur.

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

Meetings of the Planning and Development Committee

10. The Planning and Development Committee shall meet at such times as may be decided by the Chairperson of the Planning and Development Committee or directed by the Vice-Chairperson of the Parishad but the time between two consecutive meetings shall not exceed sixty days.

Vacancies, etc. not to invalidate proceedings of the Parishad or the Planning and Development Committee

11. No act or proceeding of the Parishad or of the Planning and Development Committee shall be invalid merely by reason of the existence of any vacancy in, or any defect in the constitution of the Parishad or the Planning and Development Committee as the case may be.

Quorum of the meeting

12. The quorum for the meetings of the Parishad and the Planning and Development Committee shall comprise of one half of the members.

CHAPTER III

Powers and Functions of the Parishad and of the Planning and Development Committee

Power of the Parishad

13 The powers of the Parishad shall include the powers to-

(a) call for reports and information from the Participating Departments with regard to preparation, enforcement and implementation of the 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 Vindhyachal 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 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 Vindhyachal region;

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

Functions of the
Parishad

(i) entrust to the Planning and Development Committee such other functions as it may consider necessary to carry out the provisions of this Act.

14 The functions of the Parishad shall be-

- (a) to prepare the 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 Projects through any one or more of the Participating Departments or Implementing Agencies;
- (d) to ensure proper and systematic programming by the participating departments in regard to project formulation, determination of priorities in the Vindhyachal region and phasing of development of infrastructural facilities for tourism and conservation of the Vindhyachal Heritage in accordance with stages indicated in the Plan;
- (e) to make concerted efforts towards enhancing awareness and interest in intangible cultural heritage, and document, conserve, safeguard, promote, display and disseminate it systematically;
- (f) to undertake and encourage research in the field of heritage of the region,
- (g) to undertake conservation and development of rivers and water bodies and their catchments in the Vindhyachal Region, to undertake measures for pollution control therein and development of river fronts and water bodies;
- (h) to formulate Architectural Regulations to bring about uniformity of the buildings and structures in conformity with the heritage architecture of the region;
- (i) 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 Vindhyachal region;
- (j) to arrange for, and oversee, the financing of selected development **projects in the Vindhyachal region through State funds and other sources of** revenue like funds from Temple Trusts, donations, Non-government Organization, company/firms and tourists, etc.
- (k) to co-ordinate with authorities in adjoining regions in matters and activities there that have or may have a bearing in Vindhyachal region to promote harmony in actions.

Functions of the
Planning and
Development
Committee

15 (1) The functions of the Planning and Development Committee shall be to assist the Parishad in-

- (a) the preparation and co-ordinated implementation of the Plan and the Projects;
- (b) scrutinizing the projects of the Participating Department or an Implementing Agency to ensure that the same are in conformity with the Plan;
- (c) make such recommendations to the Parishad as it may think necessary to amend or

modify any Plan;

(d) co-ordinate and Implement different Project 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.

2. Different Government departments in the District having departmental budget sanctions and other implementing Agencies shall also co-ordinate with the Planning and Development Committee to ensure convergence and co-ordination of their schemes/Projects with those which are under the Plan.

CHAPTER IV

The Plan and the Project Plans

Contents of the Plan

16 (1) The Plan shall be a written statement and shall be accompanied by such maps, diagrams, illustrations, and descriptive matters, as the Parishad may deem appropriate for the purpose of explaining or illustrating the proposals contained in the Plan and every such maps, diagrams, illustration, and descriptive matters shall be deemed to be a part of the Plan;

(2) The Plan shall indicate the manner in which the development activities in the Vindhyachal Region or conservation and such other matters, as are likely to have any important influence on the development of the tourism in Vindhyachal Region and conservation of Vindhyachal Heritage shall be undertaken. The Plan shall include the following elements needed to achieve objectives of the Plan, namely-

(a) the policy to regulate 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 communication including railways and arterial roads serving the region including local transport;

(e) the proposal for the supply of urban services like drinking water, sewerage and drainage;

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

(g) the proposals towards enhancing awareness and interest in intangible cultural heritage, and document, conserve, safeguard, promote, display and disseminate it systematically;

(h) such other matter as may be included by the Parishad in consultation with the concerned participating departments for the proper planning for the growth and balanced development of the Vindhyachal Region

Surveys and Studies

17. For the preparation of the Plan, the Parishad may cause such surveys and studies as it may consider necessary to be made by such participating development 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 it.

Procedure to be

18 (1) Before finalising the Plan, the Parishad shall prepare with the assistance of

followed for
preparation of the
Plan

the Planning and Development Committee 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 shall also give reasonable opportunities to every Local Authority/ Department, within whose local limits any land affected in any manner by the Plan is situated, 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, the Parishad shall finally prepare the Plan.

Date of coming into
operation of the Plan

19. Immediately after the Plan has been finally prepared, the Parishad 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 force and will be deemed to have been duly prepared.

Modifications of the
Plan

20 (1) The Parishad may, subject to the provisions of sub-section (2) make such modifications in the Plan , as it may think fit, which in its opinion do not affect important 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 modification in the finally prepared plan the Parishad shall publish a notice in such form and in such manner as may be prescribed indicating therein 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 modification shall come into operation either on the date of such publication or on such later date as the Parishad may fix.

(4) If any question arises whether the modification proposed to be made are modifications which affect important character of the Plan, it shall be decided by the Parishad whose decision thereon shall be final.

Review and revision
of the Plan

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

(2) Where it is proposed to substitute the Plan with a fresh Plan or where it is proposed to carry out any modification or alteration, 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 section 18 and 19 or as if they were the

Preparation of the
Project Plan, co-
ordination and
convergence

modifications or alterations in the plan made under section 20.

22 (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 more elements of the 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 Plan.

CHAPTER V

Finance, Accounts and Audit

Grants, advances
and loans by the
Government.

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

Constitution of the
fund

24. (1) There shall be constituted a Fund to be called the Vindhya Dham Vikas 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 by the State Government under section 23;

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

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

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

(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 Executive Vice-Chairperson, Chief Executive Officer, Additional Chief Executive Officer, the Finance Officer and other officers and employees of the Parishad and for meeting other administrative expenses of the Parishad;

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

(c) providing financial assistance to the participating departments and Implementing Agencies for the implementation of the Plan and the projects subject to such terms and conditions as may be decided by the Parishad;

(d) Meeting any other expenses incurred by the Parishad in the administration of this Act.

Budget

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

Annual Report

26. The Parishad 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

27. (1) The Parishad 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 shall be subject to audit annually by the Examiner, Local fund Accounts and/or the State Government may entrust the audit to the Accountant General, Uttar Pradesh or the 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 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

28 (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, before each House of the State Legislature while it is in session.

CHAPTER VI

Acquisition and Disposal of Land

Acquisition of Land for the purpose of the Bill

29. (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 Rights to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [Act no. 30 of 2013].

(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 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 may be transferred by the Parishad to such agency owned or controlled by State Government, in such manner and subject to such terms and conditions as it may consider expedient

for securing the development of the Vindhyachal region after undertaking or carrying out such development as it thinks fit for the purpose of this Act.

No change of
purpose allowed

30. 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 29.

Return of unutilized
land

31. 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 29.

CHAPTER VII

Miscellaneous

Provisions to be in
addition to existing
laws

32. The Provision 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

33. 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
Assistances to the
Parishad/Planning
and Development
Committee

34.(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 Planning and Development Committee to discharge its functions, the Parishad shall, out of the technical assistance received by it under sub-section (1) make available to the Planning and Development Committee such technical assistance as the Planning and Development Committee may require.

Officers and
employees of the
Parishad

35. (1) The State Government may appoint two suitable persons respectively as Additional Chief Executive Officer and the Finance Officer of the Parishad who shall exercise such powers and perform such duties as may be prescribed by regulations or delegated to them by the Parishad 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, subject to any rules that may be made in this behalf, make appointments on such post and determine the designations and grades of persons so appointed as may be necessary for the efficient discharge of its functions under this Act.

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

(4) 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.

(5) The Additional Chief Executive Officer, the Finance Officer and other Officers and employees of the Parishad 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

36. The Parishad may, by general or special order, direct that any function or power (other than the power to approve the Plan, modifications and alterations therein and to make regulations), or duty performed, exercised or discharged by it under this Act or the rules made thereunder shall, subject to such conditions, if any, as may 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

37. Subject to any rules made in this behalf, any person generally or specially authorized by the Parishad 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 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.

Officers and
employees of the
Parishad to be
public servants

38. The Officers and other employees of the Parishad 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

39. No suit, prosecution or other legal proceeding shall lie against the Parishad, Planning and Development Committee, their Members, officers or employees including any other person authorized by them to exercise any power or to discharge any function under this Act for anything which is done or intended to be done in good faith under this Act.

Power to make rules

40. (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 powers such rules may provide for all or any of the following matters, namely:-

(a) the terms and conditions of the office of the members 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 18 and sub section (2) of section 20 shall be published;

(c) the manner in which notice under sub-section (1) of section 19 shall be published;

(d) Any other matter which is to be or may be prescribed or in respect of

Power to make
regulations

which provision is to be, or may be made by rules.

41 (1) The Parishad 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 there under to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers such regulations may provide for all or any of the following matters, namely:-

(a) the manner in which and the purpose 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 under subsection (4) 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

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

(2) From the said date-

(a) all properties, fund and dues which are vested in or, realizable by the Parishad 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 work 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 shall be discharged by the State Government.

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

Power to remove
difficulties

43 (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.

STATEMENT OF OBJECTS AND REASONS

The importance of vindhya region is described in the puranas as it being a tapobhoomi. the temple of goddess vindhyavasini Devi is situated on the bank of holy river Ganga in the middle of vindhya mountain range. it is one of the most revered Shakti peeth of India as out of the 51 Shakti peeth of the country, vindhayawasini is the only purna peeth. Lakhs of devotees from every corner of the country visit the vindhya region to have darshan of goddess vindhyawasini especially during Charitra and shardiya Navratri.

Thus, there has been felt a need to provide high level infrastructure facilities for devotees and tourists visiting vindhya dham region by constituting a Vindhya Dham Teerth Vikas Parishad to preserve develop and maintain the aesthetic quality of culture, ecological and architectural heritage of Vindhyachal; to co-ordinate and monitor the implementation of schemes; and to develop relevant policies for integrated tourism development, heritage preservation and management in the region.

In view of the above, it has been decided to make a law to provide for the establishment of Vindhya Dham Teerth Vikas Parishad.

The Uttar Pradesh Vindhya Dham Teerth Vikas Parishad Bill, 2021 is introduced accordingly

By order
ATUL SRIVASTAVA
Pramukh sachiv