

GOVERNMENT OF PUNJAB
DEPARTMENT OF TOURISM AND CULTURAL AFFAIRS

(TOURISM BRANCH)

Notification

No. 12/252/97-5TC/560

The 7th April 2003

Whereas the Government of Punjab had constituted Anandpur Sahib Foundation as a fully autonomous Foundation and authorized Sh. D.S. Jaspal, IAS, Secretary, Govt. of Punjab, Department of Cultural Affairs to complete all required legal formalities for creation/declaration of the said Foundation vide Notification No. 12/252/97-5TC/2470 dated 05.12.1997 and as a result, Sh. D.S. Jaspal, Secretary, Cultural Affairs, Punjab Government got a Deed of Declaration registered with Sub-Registrar, Anandpur Sahib on 08.12.1997.

Whereas the primary object of the notification dated 05.12.1997 was celebration of tercentenary of the creation of Khalsa which was a one time affair and has since been completed.

Whereas the said Deed of Declaration has gone against the spirit of the Govt. notification No. 12/252/97-5TC/2470 dated 05.12.1997 wherein the then Chief Minister of Punjab has been appointed as Chairman in his personal capacity and till his pleasure and not liable to be removed.

Whereas almost the entire expenditure to be incurred on the Khalsa Heritage Project being executed by the Anandpur Sahib Foundation has to be released by Punjab Government. The Anandpur Sahib Foundation is managed by majority of private individuals who are members/trustees by name. There is no participation of Government nor any control over the activities of the Foundation. As such, it is against public interest since the members/trustees are not accountable to the Government.

Whereas the Chairman and all private members of the Anandpur Sahib Foundation including the President of the Executive Committee have stopped showing any interest in the day-to-day activities of the Foundation for the last over one year. Thus the purpose of constituting the Anandpur Sahib Foundation is not being fulfilled.

Whereas the State Govt. is committed to construct and open the Khalsa Heritage Complex for public viewing by 2004 to coincide with the following historic occasions:-

- a) 300th year of the martyrdom of Sahibzadas
- b) 400th year of installation of Guru Granth Sahib in Golden Temple, Amritsar.
- c) 500th year of "Parkash-Utsov" of Guru Angad Dev.

The Govt. has reasons to believe that the present set up of the members of Anandpur Sahib Foundation by their actions and deeds have shown no interest in the project and as such, it is not likely to meet with the target date of opening in 2004.

Whereas the Agreement of Anandpur Sahib Foundation with the National Institute of Design, Ahmedabad provides for payment of fee of Rs. 70 lakhs before the start of detailed designing of the exhibit content of the Khalsa Heritage Complex. The non-functional status of the Executive Committee has delayed the release of payment. Consequently, the Govt. had to directly release the payment in January 2003 to the National Institute of Design, Ahmedabad to avoid further delay in execution and to honour the commitment of timely opening the complex for public viewing.

Whereas the Financial and Legal Agreements have been entered into with different parties by the Anandpur Sahib Foundation for time-bound execution of the works on Khalsa Heritage Complex. In view of the non-functional status of the Executive Committee of the body, the decisions are bound to be delayed resulting in delay in execution of work thereby causing extra financial burden on account of rise in costs to the State Government due to their negligence.

Whereas the said Deed of Declaration has major legal infirmities which do not make it duly constituted trust like: -

- a) No property or value was specified in the Deed of Declaration of the Anandpur Sahib Foundation registered on 08.12.1997.
- b) The express consent of only 8 trustees had been obtained in the Deed of Declaration of Anandpur Sahib Foundation. The consent of the remaining was not obtained which was mandatory.

Now, therefore, in view of the above mentioned reasons and infirmities coming to the notice of the Govt., the Governor of Punjab is pleased to rescind the said notification No. 12/252/97-STC/2470 dated 05.12.1997 and in supersession of the same,

reconstitute the Anandpur Sahib Foundation as an autonomous Govt. sponsored Foundation and authorize Mr. Vivek Partap Singh, IAS, Additional Secretary to Govt. of Punjab, Department of Cultural Affairs to complete all the required legal formalities for the purpose of reconstitution of the above said Foundation. The said authorization will include the power of registration of new Deed of Declaration with the prescribed authority and all the powers required for this purpose.

All actions, decisions, contracts and legal agreements executed so far in the name of Anandpur Sahib Foundation will remain valid and will be fully honoured, and implemented in letter and spirit by the reconstituted body.

The Chief Executive Officer of the Anandpur Sahib Foundation will be an officer of Punjab Government to be appointed by the State Government. He will be an officer not below the rank of Addl. Secretary to the State Govt. He will be the Ex-officio trustee of the Foundation and Secretary of its Executive Committee.

For the time being, eleven members as given below will constitute the Anandpur Sahib Foundation. More members may be nominated by the State Government or co-opted by the reconstituted body with the approval of the Govt. to make a total of twenty trustees.

- | | | |
|-----|---|------------------|
| 1) | Chief Minister, Punjab | Chairman |
| 2) | Finance Minister, Punjab | Member |
| 3) | Chief Secretary, Govt. of Punjab | " |
| 4) | Principal Secretary to Govt. of Punjab, Deptt. of PWD. (B&R) | " |
| 5) | Principal Secretary to Govt of Punjab, Deptt. of Finance | " |
| 6) | Principal Secretary to Govt, of Punjab, Deptt. of Planning | " |
| 7) | Principal Secretary to Chief Minister, Punjab | " |
| 8) | Principal Secretary to Govt. of Punjab, Department of Cultural Affairs, Archaeology & Museums | Member Secretary |
| 9) | Principal Secretary to Govt. of Punjab, Deptt. of Information & Public Relations | Member |
| 10) | Secretary to Govt. of Punjab, Deptt. of Local Govt. | " |

11) Secretary to Govt. of Punjab, Deptt. of
Information & Technology

(All the above members will be ex-officio members of Anandpur Sahib
Foundation)

Sd/-
(Romila Dubey) IAS
Principal Secretary to Govt. of Punjab
Department of Cultural Affairs, Archaeology & Museum

Endst No. 12/252/197/STC/ 561-76

Dated: 07.04.03

A copy is forwarded to the following for information and necessary action.

- ✓ i) All the members of the Anandpur Sahib Foundation
- ii) AG, Punjab (A&E), Chandigarh
- iii) AG, Punjab (Audit), Chandigarh
- iv) Controller, Printing & Stationary, Punjab, Chandigarh with a spare copy of the notification. He is requested to publish this notification in Punjab Government Gazette (extra ordinary) and supply 50 copies to the Government for official use.
- v) Director, Cultural Affairs, Archaeology & Museum Govt. of Punjab
- vi) Chief Executive Officer, Anandpur Sahib Foundation


Additional Secretary
Cultural Affairs, Archaeology & Museum
Govt. of Punjab

