

Bill No. 209 of 2024

THE CULTURAL MAPPING BILL, 2024

By

SHRI MANOJ TIWARI, M.P.

A

BILL

to provide for the constitution of a Board for the mapping of cultural heritage of the country including protection of endangered art, traditions and crafts and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Cultural Mapping Act, 2024.
- (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title, extent
and
commencement.

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

Definitions.

(a) ‘Board’ means the Cultural Mapping Board constituted under section 3;

(b) ‘cultural heritage’ includes traditional arts, folk arts, folk music, folk festivals, crafts and such other traditional heritage of the country which are endangered;

(c) “folk artist” means any person who earns his livelihood by performing arts including music, dance, drama, play, singing to entertain public or displaying of his paintings or artistic skills to public;

(d) ‘mapping’ means the system of digital mapping of cultural heritage with the use of Geographic Information System (GIS) technology; and

(e) “prescribed” means prescribed by rules made under this Act.

3. (1) The Central Government, shall, by notification in the Official Gazette, constitute a Board to be known as the Cultural Mapping Board

Constitution of the Cultural Mapping Board.

(2) The Board shall consist of,-

(a) Union Minister of Culture, ex-officio Chairperson;

(b) Secretary, Union Minister of Culture, Member- Secretary;

(c) ten members to be appointed by the Central Government from amongst the persons who have knowledge and experience in the field of archaeology, history, architecture, conservation, science and technology, environment science, town and country planning or public administration.

(3) Every member of the Board shall hold office for a period of five years from the date on which he enters upon his office.

(4) The terms and conditions of the office of, including the method of filling casual vacancies in the Board and the procedure for removal or disqualification of a member of the Board, shall be, such as the Central Government may, by notification, specify.

(5) The Board may, with the approval of the Central Government, make regulations for regulating its own procedure.

(6) The Board shall have a Secretariat consisting of such number of officers and employees as may be prescribed.

(7) The salaries and allowances payable to, and the other terms and conditions of service of, members, officers and employees shall be such as may be determined by the Board in consultation with the Central Government.

4. The Board shall:-

Functions of the Board.

(i) undertake identification and mapping of cultural heritage of the country and issue such directions as it may consider necessary and expedient for the effective protection and preservation of the cultural heritage in this behalf;

(ii) advise the Central Government for inclusion of the subject of cultural heritage and diversity in the academic curriculum;

(iii) frame schemes for providing financial assistance to the traditional folk artists and craftsmen.

(iv) cause or undertake an inquiry and initiate legal action in consultation with Central Government, in case of offences relating to mapping of cultural heritage; and

(v) undertake such other functions as may be assigned to it by the Central Government for carrying out the purpose of this Act.

5. Whoever-

Offences.

(i) damages or causes any damage to cultural heritage;

(ii) indulges in any propaganda with the intention of causing any hindrance in mapping of cultural heritage;

(iii) commits or omits to commit any act in relation to cultural heritage, which is an offence under any other law for the time being in force.

shall be guilty of committing an offence under this Act.

6.(1) Any person who commits any offence under section 5 shall be punishable with imprisonment for a term which may extend to five years, or with fine, which may extend to one lakh rupees, or with both.

Punishment.

(2) A penalty awarded upon conviction for an offence under this section shall be in addition to any penalty, which upon conviction is provided for such offence under any law for the time being in force.

7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Board for carrying out the purpose of this Act.

Central Government to provide funds.

8.(1) The Board shall prepare an annual report, in such form and manner as may be prescribed.

Annual report.

(2) The Board shall submit the annual report to the Central Government.

(3) The annual report shall be laid by the Central Government, as soon as may be after it is received, before each House of Parliament.

Provided that the Board may also submit interim report or reports to the Central Government, which shall cause the report to be laid, as soon as, may be after it is received, before each House of Parliament.

9. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to have overriding effect.

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

Provisions of the Act to be in addition to other laws.

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

Power to make rules.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Culture plays an important role in the development of any nation. It represents a set of shared attitudes, values, goals and practices. Culture manifest themselves in almost all economic, social and other activities. A country as diverse as India is symbolized by the plurality of its culture.

India has one of the world's largest collections of songs, music, dance, theatre, folk traditions, performing arts, rites and rituals, paintings and writings.

There are lakhs of traditional folk artists and craftsmen across the country who are managing to survive on the basis of their creativity and production. However, the need is to protect such cultural heritage. The best way to do the same is by way of mapping of cultural heritage of the country with the use of Geographic Information System (GIS) and other appropriate technology.

The Bill, therefore, seeks to provide for the constitution of a Board for the mapping of cultural heritage of the country including protection of endangered art, traditions and crafts.

Hence this Bill.

NEW DELHI;

MANOJ TIWARI

November 13, 2024.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the setting up of a Cultural Mapping Board for the conservation of the cultural heritage in the country. It also provides for a secretariat for the purpose of assisting the Board. Clause 8 provides for the Central Government to provide adequate fund to the Board. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of rupees one hundred crores per annum.

A non-recurring expenditure of rupees one hundred and fifty crores is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Shri Manoj Tiwari, M.P.)