

**Bill No. 218 of 2024**

THE BHAGWAN BIRSA MUNDA BIRTH PLACE ULIHATU  
NATIONAL MEMORIAL BILL, 2024

By

SHRI BIDYUT BARAN MAHATO, M.P.

A

BILL

*to provide for the construction and management of a National Memorial in  
commemoration of Birsa Munda, also known as 'Dharti Aaba' a great  
freedom fighter born on 15 November, 1875 at Ulihatu in Khunti  
District in the State of Jharkhand.*

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 Bhagwan Birsa Munda Birth Place Ulihatu National Memorial Act, 2024.

Short title and  
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

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

Definitions.

(a) "Memorial " means the national Memorial to perpetuate the memory of the

Bhagwan Birsa Munda born on 15 November, 1875 at Ulihatu in Khunti District in the State of Jharkhand.

(b) "Trust" means the Bhagwan Birsa Munda, Ulihatu National Memorial Trust for the construction and management of the Memorial.

(c) "Trustee" means the Trustee of the Bhagwan Birsa Munda Birth place, Ulihatu National Memorial. 5

Objects of the Trust.

3. The objects of the Trust shall be—

(a) to construct and maintain suitable buildings, structures and parks at the site or in the surrounding area in order to perpetuate the memory of Bhagwan Birsa Munda who was born on 15 November, 1875 at Ulihatu in Khunti District in the State of Jharkhand and also to highlight that place on the map of our country; 10

(b) to acquire land, buildings and other properties for the trust; and

(c) to raise and receive funds for the purposes of the Memorial.

Trustees of the Memorial.

4. (1) The trustees of the memorial shall be following, namely:— 15

(a) the Prime Minister-Chairperson,

(b) the Union Minister-in-charge of Culture;

(c) the Leader recognized as leader of opposition in the House of the People or where there is no leader of opposition, then leader of the largest party in opposition in the house; 20

(d) the Governor of the State of Jharkhand;

(e) the Chief Minister of the State of Jharkhand; and

(f) three eminent persons nominated by the Central Government.

(2) The trustees shall be body corporate by the name of "Trustee of Bhagwan Birsa Munda Ulihatu National Memorial" for the purposes of this Act shall have perpetual succession and a common seal and shall by the said name sue and be sued and shall be entitled to contract for the acquisition and holding of property. 25

Term of office of nominated trustees.

5. The trustees nominated under clause (f) of sub-section (1) of section 4 shall continue to be trustees for a period of five years and shall be eligible for re-nomination.

Property vested with the trustees.

6. All funds and property, whether movable or immovable, which may go to it, bequeathed or otherwise be transferred for the purpose of the Memorial or shall be acquired for the said purpose, shall vest with the Trust. 30

Central Government to provide funds.

7. The Central Government may, after due appropriation made by Parliament by law in this behalf, grant to the Trust such sums of money as the Central Government may think fit for the purposes of this Act. 35

Power of trustees to appoint management committee.

8. (1) For the purposes of managing the affairs of the Trust, the Trustees may, by a resolution passed in the meeting, appoint a Management Committee and assign to it such powers, duties and functions subject to such directions and limitations as may be defined in such resolution.

(2) The trustees may appoint any persons, whether such persons are trustees or not, as members of the management committee and may, from time to time, vary or rescind any resolution passed by it under this section. 40

Power to approve audited accounts.

9. The Trust shall meet at least once in a year for approving the audited accounts of the Trust and shall transact such other business as may be deemed necessary.

**10.** No act of the trustees shall be deemed to be invalid by reason of any vacancy in the body of the trustees or any defect in its constitution.

Validity of the acts of trustees not to be questioned due to vacancy etc.

**11.** (1) The accounts of the trust shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and the expenses in connection with such audit shall be payable by the trust to the Comptroller and Auditor-General of India.

Accounts and Audit.

(2) The Comptroller and Auditor-General and any person appointed by him under this act in connection with the audit of the accounts of the Trust shall have generally the usual rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General has in case of audit of the Government accounts and shall have rights in particular for demanding the presentation of books, accounts, related vouchers and other documents and to inspect any of the offices of the trust.

(3) The audit report and account report of the trust as certified by The Comptroller and Auditor-General or by any other person appointed by him in this matter shall be forwarded to Central Government every year and the Central Government shall lay the reports as soon as possible on the table of both houses of the parliament.

**12.** (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules shall have power to make rules for—

(a) the manner in which the funds of the Memorial shall be kept, deposited or invested;

(b) the manner of authentication of orders for the payment of money by the Trustees;

(c) the form in which accounts shall be maintained by the trustees and the audit of such accounts and their publication;

(d) the layout, construction, improvement, preservation and management of the monument;

(e) the conditions on which the public shall have access to the monument or particular parts thereof and the regulation of the conduct of persons entering the monument; and

(f) the preservation of any property vested in the Trustee, and the prevention of damage to, or interference with, that property and restriction of persons trespassing on any particular part of the monument.

(3) A rule made under this section may provide that a breach of any rule made under clauses (e) and (f) of sub-section (2) shall be punishable with fine which may extend to one hundred rupees.

**13.** The Trustees may make such regulations as may be relevant to this Act for all or any of the following purposes:

Power to trustees to make regulations.

(a) the manner in which meetings of the Trustees shall be called, the quorum for the transaction of business at such meetings and the procedure to be followed at such meetings;

(b) the manner in which the decision of the majority of the Trustees, the matter in respect of which the decision shall be obtained by circulation to the required Trustees, the power of the Trustees to make regulations.

(c) the term of office of the members of the management committee, their powers and duties and the circumstances in which, and the conditions subject to which, such powers and duties may be exercised;

(d) the appointment of such officers and servants as may be deemed necessary for the purposes of the trust, and the terms and conditions of their service.

Laying of rules  
and regulations  
before  
Parliament.

**14.** Every rule made by the Central Government 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 the Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation 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 or regulation. 5 10

## STATEMENT OF OBJECTS AND REASONS

Birsa Munda, a great leader of the tribals, was born to a tribal couple Sugana and Karmi on 15 November, 1875 in Jharkhand. Birsa Munda was a great hero in Indian history who pioneered a new social and political era by transforming the condition and orientation of the tribal society with his revolutionary thinking in second half of the nineteenth century in Jharkhand, India. Birsa Munda scripted a saga of chivalry through his brave endeavours.

Between 1897 and 1900, there were wars between the Mundas and the British soldiers, and Birsa and his supporters had given a befitting retaliation to the British. In August 1897, Birsa and his four hundred soldiers, armed with arrows and bows, raided the Khunti police station. In 1898, the Mundas clashed with the British forces on the banks of the Tanga river, in which the British army was defeated.

In January 1900, another clash took place on the Dombadi hill, in which many women and children were killed while Birsa was addressing a public meeting at that place. Later on, some of Birsa's disciples were also arrested. Finally, on 3rd February 1900, Birsa was also arrested in Chakradharpur. Birsa breathed his last on 9 June 1900 in Ranchi Jail. Even today, Birsa Munda is worshiped as a God in tribal areas of Bihar, Odisha, Jharkhand, Chhattisgarh and West Bengal.

Therefore, there is a need to construct a National Memorial in his honour and promote the birth place of Bhagwan Birsa Munda as a tourist center on the map of the country.

Hence this Bill.

NEW DELHI;  
*November 7, 2024.*

BIDYUT BARAN MAHATO

## FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the construction and maintenance of suitable buildings, structures and gardens around the Bhagwan Birsa Munda birth place National Memorial Ulihatu by the trust and acquisition of land, buildings and other properties for the purpose of the trust and raising and receiving funds for the purpose of the memorial. Clause 7 provides for grants to be given to the Trust by the Central Government after due appropriation done by Parliament by law in this behalf for the purposes of the Act.

Therefore, on enactment of this Bill, both recurring and non-recurring expenditure are likely to be incurred from the Consolidated Fund of India. However, it is difficult to estimate the amount required for this purpose as it will depend on the decisions of the Trust.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Clause 13 provides for power of trustees to make such regulations as may be relevant to this Act. As the rules will relate to matters of detail only, the delegation of legislative powers is of normal character.

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commemoration of Birsa Munda, also known as 'Dharti Aaba' a great  
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