

THE MYTHIC SOCIETY (DISSOLUTION AND MANAGEMENT) ACT, 1976

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STATEMENT OF OBJECTS AND REASONS

Act 20 of 1976.- The Mythic Society, Bangalore was a body registered under the Societies Registration Act and founded in 1909. It was formed for promoting the study and research in Indology, Archaeology, Anthropology, Architecture, Art, Ethnology and allied subjects in the State of Karnataka. The Society acquired a good library, a number of rare and valuable manuscripts and literary works which are of immense value for the promotion of its objects. These were being made use of by the members of the Society and the public who are interested in the subjects mentioned above. Among the eminent persons who were associated with the Society either as office bearers or otherwise were Dr. Morris Traverse, Rev. Fr. A.M. Tabard, Rao Bhadur M. Shama Rao, Dewam Sir Mirza Ismail, Dewan Sri. N. Madhava Rao, Sri. C.V. Raman, Dr. A. Ramaswamy Mudaliar, Prof. A.R. Wadia and Sir M. Visveswaraiah. The Society was granted a free site in January 1916 by the then Government subject to certain conditions. A State grant of Rs. 10,000 towards construction of the building for the Society was also made at the same time. It was with this that the building in which the Society was housed was built.

Of late the management of the Society fell into disarray. Portions of the land granted to it by the State Government were alienated to others for purposes unconnected with the Society. The safety of the rare collections also was endangered. The original objectives of the Society were not being adhered to. Public interest for the promotion of which the Society was founded would be in jeopardy if such activities were not checked. The matter being urgent and the State Legislature was not in session the Mythic Society (Dissolution and Management) Ordinance, 1975 was promulgated.

This Bill is to replace the said ordinance.

(Obtained from LC Bill No. 4 of 1976 published as notification No. 11195/LC dated 24.1.1976.)

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KARNATAKA ACT NO. 20 OF 1976

(First Published in the Karnataka Gazette Extraordinary on the Eleventh day of March, 1976.)

THE MYTHIC SOCIETY (DISSOLUTION AND MANAGEMENT) ACT, 1976.

(Received the assent of the Governor on the Eighth day of March, 1976)

An Act to dissolve the Mythic Society and to provide for its management.

WHEREAS the Mythic Society is a society registered under the Societies Registration Act with the objects to promote the study of and to stimulate research in Anthropology, Archaeology, Architecture, Art, Ethnology, Folklore, History, Mythology, Philosophy, Religion and other allied subjects in the State of Karnataka ;

WHEREAS there are rare and valuable manuscripts and volumes relating to the aforesaid subjects in the said Society's library ;

WHEREAS the State Government has granted to the said Society free of cost a valuable site in Nrupathunga Road, Bangalore City and also financial assistance from time to time for construction of building, purchase of furniture and other purposes ;

WHEREAS the affairs of the said Society are not managed in its best interest and the objects of the Society have thereby suffered ;

WHEREAS it is necessary to provide for carrying on of the said objects and for this purpose dissolve the said Society and establish a Board ;

BE it enacted by the Karnataka State Legislature in the Twenty-seventh year of the Republic of India, as follows :-

1. Short title and commencement.- (1) This Act may be called the Mythic Society (Dissolution and Management) Act, 1976.

(2) It shall be deemed to have come into force on the third day of November, 1975.

2. Definitions.- In this Act, unless the context otherwise requires ,-

(a) 'appointed day' means the date of commencement of this Act ;

(b) 'Board' means the Board of Management of the Mythic Society ;

(c) 'Chairman' means the Chairman of the Board ;

(d) 'member' means a member of the Board ;

(e) 'Secretary' means the Secretary of the Board ;

(f) 'Society' means the Mythic Society, Bangalore having its head office at Nrupathunga Road, Bangalore - 2 deemed to be registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960).

3. Establishment and incorporation of the Board.- (1) With effect from such date as the State Government may, by notification in the Official Gazette, appoint, there shall be established for the purposes of this Act, a Board to be known as the Board of Management of the Mythic Society.

(2) The Board shall be a body corporate, having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of properties and to contract and may by that name sue or be sued.

(3) Notwithstanding anything contained in sub-section (2), the Board shall not, except with the previous approval of the State Government, sell or otherwise dispose of any property belonging to it.

4. Constitution of the Board.- (1) The Board shall consist of not more than eleven members to be nominated by the State Government, of whom not less than three shall be persons possessing special knowledge in Anthropology, Archaeology, Architecture, Art, Ethnology, Folklore, History, Mythology, Philosophy or Religion.

(2) The State Government shall appoint one of the members to be the Chairman of the Board.

(3) The Chairman shall, with the previous approval of the State Government, appoint a person to be the Secretary.

5. Resignation from office of a member.-A member of the Board may resign from office by giving notice to the State Government.

6. Term of office and casual vacancy.- (1) Every member shall hold office for a period of three years.

(2) A casual vacancy in the office of a member shall be filled by fresh nomination by the State Government and the new member so nominated shall hold office only for the remainder of the term for which the member whose place he fills was nominated.

7. Powers of the Board.- The Board shall exercise the following powers and perform the following duties, namely:-

(a) maintain and manage the Mythic Society, Bangalore with a view to promote the study of Anthropology, Archaeology, Architecture, Art, Ethnology, Folklore, History, Mythology, Philosophy, Religion and other allied subjects ;

(b) provide for studies and research in the aforesaid ;

(c) help in producing and publishing books in order to facilitate the carrying out of the objects specified in clause (a) ;

(d) receive gifts, donations or benefactions from Government and receive bequests, donations and transfer of movable or immovable properties from trustees, donors, transferors, as the case may be ;

(e) deal with any property belonging to or vested in the Board in such manner as it may deem fit for advancing the objects specified in clauses (a) to (d) ;

(f) do all such things as may be necessary or incidental or conducive to the attainment of all or any of the objects specified in clauses (a) to (e).

8. Dissolution and transfer of property of the Society.- (1) As from the appointed day the Mythic Society, Bangalore, a Society deemed to be registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act No. 17 of 1960) shall stand dissolved and all property, movable and immovable, and all rights, powers and privileges of the Society which immediately before the appointed day belonged to or were vested in the said Society shall vest in the Board and shall be applied for the purposes for which the Board is constituted.

(2) As from the appointed day all debts and liabilities of the said Society shall stand transferred to the Board and thereafter be discharged and satisfied by the Board.

(3) Any will, deed or other document, whether made or executed before or after the commencement of this Act, which contains any bequests, gifts, or trust in favour of the said Society shall as from the appointed day, be construed as if the Board were therein named instead of the said Society.

(4) Any person who on the appointed date has in his possession or custody or under his control any property and any document relating thereto which has vested in the Board shall be liable to account for such property or document to the Board and shall deliver it up to the Chairman or to any other person authorised by him.

(5) It shall be lawful for the Chairman or such person to take all necessary steps for securing possession of all the properties and documents relating thereto which have vested in the Board.

9. Creation of the Board Fund.- The Board shall, in accordance with the rules made by the State Government in this behalf, create and maintain a fund to be called the Mythic Society Fund into which all receipts and income of the Board shall be paid and out of which all expenses and disbursements of the Board shall be met. The said fund shall be operated by the Chairman or by such other person as he may authorise.

10. Powers of the State Government to give direction.- The State Government may give to the Board such direction as it deems fit and necessary and the Board shall carry out those directions.

11. Board Budget.- (1) The Board shall frame a budget for every financial year and submit it to the State Government for approval.

(2) The State Government may approve with or without modifications.

12. Power to supersede the Board.- (1) If the State Government is of the opinion that the Board is unable to perform or has persistently made default in the performance of the duties imposed on it by or under this Act or has exceeded or abused its powers, the State Government may, by notification in the official Gazette, supersede the Board for such period as may be specified in the notification :

Provided that before issuing a notification under this sub-section, the Board shall be given a reasonable opportunity to make its representation why it should not be superseded.

(2) Upon the publication of the notification under sub-section (1) superseding the Board,-

(a) all the members of the Board shall, as from the date of supersession vacate their offices as such members ;

(b) all the powers and duties which may, by or under the provisions of this Act be exercised and performed by the Board, be exercised and performed by such person or persons as the State Government may direct; and

(c) all property vested in the Board shall, during the period of supersession vest in the State Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the State Government may,-

(a) extend the period of supersession for such further term as it may consider necessary ; or

(b) reconstitute the Board in the manner provided in section 4.

13. Power to make rules.- The State Government may, by notification in the Official Gazette, make rules to carry out the objects of this Act.

14. Power of Board to make regulations.- The Board may, with the previous approval of the State Government, make regulations not inconsistent with the provisions of this Act, for all or any of the following purposes, namely:-

(a) the manner in which meetings of the Board shall be convened, the quorum for the transaction of any business thereat and the procedure at such meetings ;

(b) the manner in which the majority decision of the Board shall be obtained by circulation to the members of the matter requiring decision ;

(c) the appointment of such officers and servants as may be necessary for the purpose of carrying out the objects specified in section 7 and their terms and conditions of service.

15. Repeal of Karnataka Ordinance No. 18 of 1975.- (1) The Mythic Society (Dissolution and Management) Ordinance, 1975 (Karnataka Ordinance No. 18 of 1975) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

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