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0—29-12-00.

Legislative (~~190~~ 1899) Department.

ORDINARY MS.

G.O., No. 23

DATED 3-3-99

64/64

INDEXED.

[Despatch Abstract.]

Recording notes &c on the subj
of the Hon'ble K. Kalyana Sundra
Aiyar Bill to amend the Religious
Endowment Act.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date

A BILL TO REMOVE CERTAIN DEFECTS IN ACT XX OF 1863.

Whereas for the more effective management of the institutions to which Act XX of 1863 is applicable, it is desirable to amend that Act in certain particulars, it is hereby enacted as follows:—

1. This Act shall be called the Religious Endowments Act Amendment Act—of 1896.

2. This Act shall apply only to the Presid cy of Madras, and shall come into force immedia y.

3. Notwithstanding anything contained in Act XX of 1863, the Local Government shall have the power of revising, from time to time and in such manner as it deems fit, the rules for election framed under the said Act.

4. The existing members of the Committees appointed under Act XX of 1863 shall in th month of give public notice of *general* election of members fixing for such electio a day which shall be in the fifth week after the date of issue of such notice; and they shall arrange for the said election in accordance with the rules framed under Act XX of 1863, or if such rules have been revised under this Act, under such revised rules.

5. Persons elected under the last preceding Section shall become members of the respecti Committees to which they have been elected fro the first of 189 , and from that da the tenure of office of the existing membe shall cease and determine.

6. Members elected under Sections 4 and of this Act shall hold office only for five years.

7. A general election of members shall b held at the end of every five years in the mann specified in Section 4.

8. The provisions of Section 10 of Act X 1863 shall apply to cases of vacancies rema unfilled owing to the omission of any Com to hold a general election, as well as to c intermediate vacancies.

9. Members elected or nominated intermediate vacancies caused by death wise shall hold office only for the unexpi of the period for which the members place they are elected, were entitled to

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

10. Every Committee shall before the 1st day of December prepare, print, and hang up in its office, a list of persons qualified under the rules framed by Government to vote at the election of Committee members, and in the month of November previous to every succeeding *general* election revise the said list, and print, and hang up in its office, such revised list.

11. Committees shall have power to dismiss trustees of temples under their jurisdiction (1) for omission to keep accounts or to submit them to the Committees annually or when called for, (2) for dishonest misappropriation of temple funds, (3) for the mismanagement of temple affairs. (4) for omission to make payments to the Committees as provided in Section 13 or (5) for failure to submit their accounts for audit to the auditors appointed under this Act.

(*a*). Provided that no such order of dismissal shall be passed by any Committee without its having sent in writing to the trustees concerned the details of the charges against them, and given them at least fifteen days' time to answer the said charges.

(*b*). Provided also that the reasons for such dismissal shall be recorded in writing, and a copy thereof sent by post registered to the trustees dismissed.

12. On the election or nomination of members of Committees under this Act, or on the nomination of trustees by such Committees, the retiring or dismissed members or trustees, shall on demand hand over at once to the newly appointed members or trustees all properties and records in their charge belonging to the Committees or temples concerned; and any member or trustee not complying with such demand shall, on application to the Magistrate in charge of the Division in which the office of the Committees or the temples may lie, be forthwith ejected, and dealt with as trespassers under the Indian Penal Code.

13. Every Committee shall have power
collect from the trustees of the temples
its management a sum not exceeding fi
centum on the gross annual income o
temples, provided that such gross incor
less than Rs. 50 per annum; and every
called on to pay any such amount shall
to pay the same from the funds of the t
cerned, and any trustee failing to comp
such demand within three months a
of such demand shall be liable at the
the Committees to dismissal from of

UMBAKONAM.

BACK P

14. There shall be an audit every year of the accounts of every Committee and of all the temples under its management. In the month of January every year, every Committee shall for that purpose appoint one or more auditors, not being members of such Committee or trustees under it, and shall issue all orders necessary for the efficient carrying out of such audit. The remuneration in each case shall be fixed by the Committee, but shall not exceed one *per centum* on the annual income of the Committee or temple concerned.

15. If no such auditor be appointed within the time prescribed in the last preceding Section, the District Court within whose jurisdiction such Committee is situate shall on its own motion or on the application of any person whatsoever appoint such auditor or auditors and issue the necessary orders.

16. The auditor or auditors appointed as above shall make the audit in accordance with the orders issued, and shall submit a report of the results of the audit to the Committee concerned. The report and the statements, if any, accompanying it, shall be immediately published by the Committee in the local Gazette.

17. Members of Committees failing to carry out the provisions of Sections 14 and 16, and members of Committees and trustees who do not without delay furnish their accounts for audit to the auditor or auditors appointed as above shall be liable, on that ground alone, to dismissal from office.

18. Whenever the revenues of a temple leave a balance after all necessary expenses have been defrayed, the trustee or trustees of such temple may spend the whole or any portion of such balance for the purpose of affording instruction in Hindu religion to those who resort to such temple for worship.

PRINTED AT THE "SRI VIDYA PRESS" KUMBAKONAM.

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Legn
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STATEMENT OF OBJECTS AND REASONS.

The mismanagement of the Hindu Religious Endowments in this Presidency is too well known and too generally admitted as a fact to need any statement here. The Bill drawn up in 189 by the committee appointed for the purpose by the local Government, of which the late Justice Sir T. Muthusami Iyar was President, met with the approval of the Madras Government, but was rejected by the India Government as involving an undue amount of direct interference in temple management from the officers of Government. A fresh committee has been entrusted with the work of re-casting the Bill so that it may not be open to this objection. But the urgency of the case demands a speedy remedy; and the present Bill is intended to provide such a remedy by removing a few of the most glaring defects in the existing enactment, without any departure from its principles in regard to interference in temple management by Government officers.

The defects demanding immediate consideration are:–(1) The life-long membership of Committee members; (2) The absence of a provision rendering it obligatory on the Committees to prepare lists of voters and to revise the same from time to time; (3) The powerlessness of Committees to deal effectually with negligent and disobedient trustees, unless it be by a costly and tedious legal procedure; (4) The absence of an express provision enabling Committees to collect money from temples for the maintenance of their establishments. (5) The absence of a provision to ensure the maintenance of accounts by the Committees and the scrutiny of the accounts of Committees and of trustees annually; and (6) Lastly the absence of a provision for the proper disposal of such funds as may remain in the hands of trustees after meeting adequately the purposes of the trusts.

Sect. 2 restricts the operation of this enactment to the Madras Presidency.

Sect. 3 confers on the local Government the power of framing and of revising the rules of election, and simply continues the provision in Sect. 10 of Act. XX of 1863.

Sects. 4 to 9 provide for the election of Committee members. The only innovation here introduced is the limitation of their term of office to *five* years.

The power given to the District Court of filling up vacancies, by nomination or by election, in case the Committee concerned fail to fill them up within the prescribed time, simply continues the provision in sect. 10 of the existing Act.

Sect. 10 provides for the preparation and periodical revision of the lists of voters.

Sect. 11 defines the circumstances under which Committees may dismiss the trustees under them, and defines also the procedure to be adopted in such cases.

Sect. 12 provides for the effective exercise by the Committees of the power conferred on them by the preceding section by leaving the dismissed trustees to establish their claims in a Civil Court, without requiring the Committees or their nominees to go to the Civil Court to oust the dismissed members or trustees from the possession of trust properties.

Sect. 13 confers on the Committees the power of collecting 5 *per cent.* from the funds of temples for their expenses, a provision of which the necessity is obvious.

Sections 14 to 17 provide for an annual audit of the accounts, both of Committees and of trustees, and for the publication of the same in the Local Gazette.

Sect. 18 gives the trustees the power to utilize such surplus funds as remain with them after defraying the actual charges of each temple towards affording instruction in Hindu Religion to worshippers, and is only *permissive* and not obligatory.

K Kalyanasundr

PRINTED AT THE "SRI VIDYA PRESS" KUMBAKONAM.

Tanjore
17th February 1896

From

The Hon'ble K Kalyana Sundara Ayyar
Tanjore.

To L Davidson Esq I.C.S
Secretary to the Legislative Council,
Madras

Sir, Under rule 31 of the Rules for the Conduct of business I have the honor to give notice that at the next meeting of the Council I intend to move for leave to introduce a Bill to amend the Religious Endowments Act (XX of 1863) so far as the Presidency of Madras is concerned.

2. The accompanying copy of the Draft Bill with the Statement of objects and reasons will, I think, sufficiently explain the subject of the Bill.

I have the honor to be,
Sir
Your most obedient Servant
K Kalyana Sundarayyar
Additional Member

To L Davidson Esq
Secretary. L.C.

Leg 6
1
54

54

Legve. Deptt.

From

The Hon'ble K. Kalyana Sundaram Aiyar
Tanjore

Dd 17th } Feb: 1896
Recd 18th }

Encs. 2

Subject

Forwarding copy of the Bill to remove certain defects in Act XX of 1863 together with copy of statement of objects & reasons.

D/4 2,000—25-7-94.

REVENUE DEPARTMENT.

No. 54

From

Dated 189 .

FOR ORDERS.

X. in this case not restrained by sec. 38 of the Council Acts of 1861 & sec. 43 does not prevent a motion for leave to introduce

In this current the Hon'ble K. Kalyanasundram Aiyar gives notice of his intention to move for leave to introduce^X^ a bill to amend the Religious Endowments Act (XX of 1863). – The notice will appear on the agenda paper of the next meeting – but it seems advisable to oppose the motion or to suggest to the Hon'ble Member that it wld. be advisable for him to withdraw it until the Committee appointed to revise the Act under G.O. of 23.10.94 No. 114 Legl. has submitted its report. – On the 6th January last the Committee wrote "we ~~hope~~ expect to be able to submit the report in the course of six weeks If leave to introduce the Bill is carried, it will be hardly ripe for consideration earlier than the report of the Committee.

D
21.2.96

Decided in council not to take any action

D
21.2.96

a Private Bill

FOR ORDERS.

E

A BILL TO REMOVE CERTAIN DEFECTS IN ACT XX OF 1863.

—:(o):—

Whereas for the more effective management of the endowments of certain institutions to which Act XX of 1863 is applicable, it is desirable to amend that Act in some particulars, it is hereby enacted as follows:—

1. This Act shall be called the Religious Endowments Act Amendment Act—of 1896.

2. This Act shall apply to such Hindu religious endowments in the Presidency of Madras, as are described in Section 3 of Act XX of 1863 and it shall come into force immediately.

3. Notwithstanding anything contained in Act XX of 1863, the Local Government shall have the power of revising, from time to time and in such manner as it deems fit, the rules for election framed under the said Act.

4. The existing members of the Committees appointed under Act XX of 1863 shall in the month of   give public notice of a *general* election of members fixing for such election a day which shall be in the fifth week after the date of issue of such notice; and they shall arrange for the said election in accordance with the rules framed under Act XX of 1863, or if such rules have been revised under this Act, under such revised rules.

5. Persons elected under the last preceding Section shall become members of the respective Committees to which they have been elected from the first of   189   , and from that date the tenure of office of the existing members shall cease and determine.

6. Members elected under Sections 4 and 7 of this Act shall hold office only for five years.

7. A general election of members shall be held at the end of every five years in the manner specified in Section 4.

8. The provisions of Section 10 of Act XX of 1863 shall apply to cases of vacancies remaining unfilled owing to the omission of any Committee to hold a general election, as well as to cases of intermediate vacancies.

9. Members elected or nominated to fill up intermediate vacancies caused by death or otherwise shall hold office only for the unexpired portion of the period for which the members, in whose place they are elected, were entitled to hold office.

10. Every Committee shall before the 1st day of December prepare, print, and hang up in its office, a list of persons qualified under the rules framed by Government to vote at the election of Committee members, and in the month of November previous to every succeeding *general* election, revise the said list, and print, and hang up in its office, such revised list.

11. Committees shall have power to dismiss trustees of temples under their jurisdiction (1) for omission to keep accounts or to submit them to the Committees annually or when called for, (2) for dishonest misappropriation of temple funds, or (3) for the mismanagement of temple affairs.

(*a*). Provided that no such order of dismissal shall be passed by any Committee without its having sent in writing to the trustees concerned the details of the charges against them, and given them at least fifteen days' time to answer the said charges.

(*b*). Provided also that the reasons for such dismissal shall be recorded in writing, and a copy thereof sent by post registered to the trustees dismissed.

12. On the election or nomination of members of Committees under this Act, or on the nomination of trustees by such Committees, the retiring or dismissed members of trustees, shall on demand hand over at once to the newly appointed members or trustees all properties and records in their charge belonging to the Committees or temples concerned; and any member or trustee not complying with such demand shall, on application to the Magistrate in charge of the Division in which the office of the Committees or the temples may lie, be forthwith ejected, and dealt with as trespassers under the Indian Penal Code.

13. Every Committee shall have power to collect from the trustees of the temples under its management a sum not exceeding five *per centum* on the gross annual income of such temples, provided that such gross income is not less than Rs. 50 per annum; and every trustee called on to pay any such amount shall be bound to pay the same from the funds of the temple concerned, and any trustee failing to comply with any such demand within three months after the date of such demand shall be liable at the discretion of the Committees to dismissal from office.

14. There shall be an audit every year of the accounts of every Committee and of all the temples under its management. In the month of January every year, every Committee shall for that purpose appoint one or more auditors, not being members of such Committee or trustees under it, and shall issue all orders necessary for the efficient carrying out of such audit. The remuneration in each case shall be fixed by the Committee, but shall not exceed one *per centum* on the annual income of the Committee or temple concerned.

15. If no such auditor be appointed within the time prescribed in the last preceding Section, the District Court within whose jurisdiction such Committee is situate shall on its own motion or on the application of any person whatsoever appoint such auditor or auditors and issue the necessary orders.

16. The auditor or auditors appointed as above shall make the audit in accordance with the orders issued, and shall submit a report of the results of the audit to the Committee concerned. The report and the statements, if any, accompanying it, shall be immediately published by the Committee in the Local Gazette.

17. Members of Committees failing to carry out the provisions of Sections 14 and 16, and members of Committees and trustees who do not without delay furnish their accounts for audit to the auditor or auditors appointed as above, shall be liable, on that ground alone, to dismissal from office.

PRINTED AT THE "SRI VIDYA PRESS" KUMBAKONAM,

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91

STATEMENT OF OBJECTS AND REASONS.

The mismanagement of the Hindu Religious Endowments in this Presidency is too well known and too generally admitted as a fact to need any statement here. The Bill drawn up in 1893 by the Committee appointed for the purpose by the local Government, of which the late Sir Justice T. Muthusami Iyar was President, met with the approval of the Madras Government, but was rejected by the India Government as involving an undue amount of direct interference in temple management from the officers of Government. A fresh Committee has been entrusted with the work of re-casting the Bill so that it may not be open to this objection. But the urgency of the case demands a speedy remedy; and the present Bill is intended to provide such a remedy by removing a few of the most glaring defects in the existing enactment, without any departure from its principles in regard to interference in temple management by Government officers.

The object of this Bill is to remove certain admitted defects in Act XX of 1863, and its operation is expressly confined to such Hindu religious endowments as are under the management of the Committees created by that Act.

The defects demanding immediate consideration are:—(1) the life-long membership of Committee members; (2) the absence of a provision for securing the proper preparation and revision of lists of voters; (3) the powerlessness of Committees to deal effectually with negligent and disobedient trustees, unless it be by a costly and tedious legal procedure; (4) the absence of an express provision enabling Committees to collect money from temples for the maintenance of their establishments; and (5) the absence of a provision to ensure the maintenance of accounts by the Committees and the scrutiny of the accounts of Committees and of trustees annually.

Sect. 2 restricts the operation of this enactment to the endowments of such Hindu religious institutions in the Madras Presidency as are described in Section 3 of Act XX of 1863.

Sect. 3 provides for the revision of the rules of election from time to time.

Sects. 4 to 9 contain provisions for securing by means of general elections a limitation of the term during which the office of members of Committees is tenable, and also for making Section 10 of Act XX of 1863 applicable to cases of omission on the part of Committees to hold general elections as well as to intermediate vacancies.

Sect. 10 provides for the preparation and periodical revision of the lists of voters.

Sect. 11 defines the circumstances under which Committees may dismiss the trustees under them, and defines also the procedure to be adopted in such cases.

Sect. 12 provides for the effective exercise by the Committees of the power conferred on them by the preceding section by leaving the dismissed trustees to establish their claims in a Civil Court, without requiring the Committees or their nominees to go to the Civil Court to oust the dismissed members or trustees from the possession of trust properties.

Sect. 13 confers on the Committees the power of collecting 5 *per cent.* from the funds of temples for their expenses— a provision the necessity whereof is obvious.

Sects. 14 to 17 provide for an annual audit of the accounts, both of Committees and of trustees, and for the publication of the same in the Local Gazette.

K Kalyana Sundaram
7-3-96

1896
Legl
Dept
1
91

CURRENT No 91

Tanjore
7th March 96,

From The Honble K Kalyana Sundara Ayyar
addl member

To L. Davidson Esq I.C.S
Secretary to the Legislative Council
Madras

Recd & C. Rule 32
D/ 9.3.96

Sir

Under rule 32 of the rules for the Conduct of business in the Legislative Council, I have the honor to send herewith a draft of the bill proposed to be introduced by me together with a Statement of the objects and Reasons to its proposed measure.

I have the honor to be,
Sir
Your most obedient servant
K Kalyana Sundaram
addl mem

To
The Secretary to the L Council
Madras

[G./9]
4,000—28-1-96.

Current No. 91

Leg DEPARTMENT.

This letter has not been put into type

From The Hon K. Kalyana-Sundara Ayar

VE

Print the bill & Statt of O & R separately

No.

Dated 7/3
Received 9/3
Registered 9/3
} 96
Enclosures

CRL
9/3. ✓ RM

SUBJECT.

Forwarding a draft of the bill to be introduced by him, and a statement of the Objects & reasons for the same.

[G./25]
1,000—5-11-95

Legve: DEPARTMENT

C. No. 91

FOR ORDERS.

At the council meeting held on the ~~4th~~ 26th of ~~March~~ Febry, the Hon'ble K. Kalyanasundram Aiyar moved for and obtained leave to introduce ~~the~~ a ~~accompanying~~ Bill to remove certain defects in the Religious Endowments Act XX of 1863. ~~With it is~~ He has now sent a copy of the Bill with its full Statement of Objects and Reasons as required by Council Rule 32. These have been printed and communicated to each member and will be published in the Fort St: George Gazette in English today. Orders are requested as to the vernacular languages which the Bill should be translated into. The Act which it amends is of general application and it would therefore appear desirable to translate it into all × the

× Tamil
Telegu
Canarese
Malayalam
Hindustani.

the vernaculars in the Presy: Another point regarding which orders are requested is as to whether any communication should be addressed to the Govt. of India on the subject of the Bill. Firstly [It is a measure which may be regarded as affecting the religion or religious usages of Hindus inasmuch as it alters the procedure in regard to the management of Hindu temples. Under sec. 43 (5) of the Indian Councils Act, 1861, the previous sanction of the Governor General is required before it is lawful for the Governor in Council to take it into consideration but from the proviso to the same section it appears that the initial defect of want of sanction ~~is~~ may be condoned by the subsequent assent of the Governor General.

Secondly. The Bill amends an Act of general application passed by the Supreme Legislative Council and the sanction of the Governor-General is, [illegible] d under sec: 5 of the Indian [illegible] ils Act, 1892, before it is passed, though in this case also the

8

FOR ORDERS.

H. E. THE GOVERNOR.
THE HON'BLE MR. H. W. BLISS, C.I.E.
THE HON'BLE MR. J. GROSE, C.I.E.

X.90.114 Leg
D 23.10.96

A.SH
6.4.96

the subsequent assent of the Governor General operates as a condonation.

Leave to introduce the Bill has now been obtained and it may be introduced at any meeting of the Council. It relates to a subject which ~~may be committed~~ was remitted to the consideration ~~to~~ of a Committee whose reply has been promised "immediately after the Easter Holidays" and it would appear for that reason to be desirable to postpone, for the present, consideration of the ~~desirability~~ necessity of addressing the Govt. of India until both the report and the bill can be dealt with simultaneously.

D
31.3.96

Ld. 1/4/96.

Bill to amend the Religious Endowments Act XX of 1863.

(For Orders)

H.E. the Governor

[illegible]
Before circn put up
copy of G.O. 114 Leg
23.10.97

Publish
with
vernacular

S.Y

To await receipt of the report of the Hindu Religious Endts committee

memo sent 29/4

C4/4

[G./24.]
90-12-12-95.

Legis DEPARTMENT.

Papers to be read in proceedings :—

Again G.O., dated 189 , No.
Again G.O., dated 189 , No.
Current No. of 189 , dated , from
" " " 189 , " , "
" " " 189 , " , "

ORDER.

Ordered in Council that ~~the~~ to defer addg the Govt. of India until the bill now in the public Dept. can be sent up at the same time & the whole case represented to the Govt. of India.

E.R. 23/5/97

This
The following letter will be despatched to the Government of India

Letter

To The Secretary to the Govt of India
Home Dept (Public)

Sir

On the 26 February 1896, the Hon'ble Kalyanasundaram Aiyar, an un-official member of the Local Legislative Council obtained leave to introduce a bill to remove certain defects in Act XX of 1863.

2. The reasons for the measure are ~~clearly~~ set forth in the Statement of Objects & Reasons, & in the speech made by the Hon'ble member when leave to introduce, was granted,

copies B

Copies of which papers & of the Bill accompany this letter.

3. It will be seen from Section 1 of the Bill that it is an amending Act and proposes to amend the Hindu Religious Endowments Act XX of 1863, which is an enactment of the Governor-General in Council. I am therefore to request that the sanction of the Governor-General under section 5 of the Indian Councils Act, 1892, may be accorded.

4. The question has also been raised whether the Bill affects the Hindu Religion or the religious rites & usages of the Hindus within the meaning of Sec 43 of 24 & 25 Vic. C 67. As this point is not altogether free from doubt, I am directed to request that the sanction of the Governor-General, may, should such a sanction be considered necessary, ~~it~~ be given for the introduction of the measure into the Local Legislative Council

5. I am in this connection to add for the information of the Government of India, that the Bill drawn up by the Hindu Religious Endowments Committee in 1893, was referred back to that committee for revision in the light of the remarks made in Mr Hewett's letter No. 1285 dated 7 Sept 1894, and that the reply of the Committee together with the bill as revised by it ——— is

To send the two bills re ford draft & write on this subject at the same time: - reference

—

~~and~~ is ~~under~~ now under consideration in the Public Department of this Govt.

Endt

Copy to the Govt. of India, Legislat

Department.

[G./9]
500—15-3-97.

(1897) Department.

D. O. No. 279

~~D. O.~~

For orders

The file regarding Hon Kalyanasundaram

From The Hon. Mr. K. Kalyana-
Sundaram

E

No.

Dated 27 }
Received 29 } -3-97.
Registered 29 }

Enclosures

Spare copies

SUBJECT.

Stating that he shall introduce his Bill to amend the Religious Endowments Act XX of 1863 at the next meeting of the Council and Soliciting the views of Govt. in the matter.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Urgent

D 0279

Tanjore
27.3.97

Dear Sir

I am just giving notice that I shall introduce my Bill to amend the Religious Endowments Act XX of 1863 at the next meeting of the Council and I have already written to you expressing my views about the Hon'ble Mr Anandacharlu's Bill.

[G./25]
1,000—14-12-96.

Legis DEPARTMENT.

C. No. ....

H. E. THE GOVERNOR.
THE HON'BLE MR. BLISS, C.I.E.
THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.

Hon. Kalyanasundaram Aiyar's bill to amend Religious Endowments Act XX of 1863..

FOR ORDERS.

The Hon'ble Member, in requesting the Hon'ble Subba Rao to introduce his bill at the last meeting of the Council, has entrusted the said Hon'ble member with the charge of the Bill; & since that date, the member in charge of the Bill is (under Council Rule 72,) the Hon'ble Subba Rao & not the Hon'ble Kalyanasundaram Aiyar unless the former member retransfers us the charge.

Apart from this technical objection to the Hon'ble member's introducing the Bill, the doubt exists whether sanction under Sec 43 of Statute XXIV & XXV Victoria Cap 67 is not necessary for the Council's taking into consideration the present measure.

The file re the Hon'ble member's remarks on the Hon'ble Ananda Charlu's bill is with the Secretary, & the question

of

p. 23

of addressing the Government of India has been delayed by orders in last Council till the Govt. measure× on the subject in the Public Dept. is ready for transmission to that Government. Orders are therefore solicited as to the nature of the intimation to ~~the~~ be conveyed to the Hon'ble member with reference to the concluding portion of his letter

× papers have returned from circulation & a ~~draft~~ letter to India is being drafted.

29/5/97

Draft to him tell him precisely how the matter stands.

S.H. 29/5/7

[G./24.]
500—12-12-95.

Legis DEPARTMENT.

Papers to be read in proceedings :—

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. of 189 , dated , from

" " " 189 , " , "

" " " 189 , " , "

Fair at once.

Submit with fair

CRU 30/7/97

S.H. 30

29/8/97

~~ORDER.~~ D. O.

Dear Sir

In reply to your letter dated the 27 instant, I have the honour to inform you that a question has arisen ~~doubts are entertained~~ as to whether your bill affects "the ~~Hindu~~ religion or the religious rites & usages" of ~~the~~ Hindus, so as to render essential the previous sanction of the Governor-General ~~necessary~~ under Section 43 of 24 & 25 Victoria Cap. 67. ~~necessary~~ before its introduction. The ~~Your~~ bill also requires a ~~the previous~~ sanction of ~~His Excellency~~ the Governor-General under Section 5 of 55 & 56 Victoria, Cap 14, though this sanction, however, may be obtained after introduction of the measure but before the passing of the ~~Bill~~ same into law. ~~The Govern-~~ The question of addressing the Govt ~~may be~~ shd on these points India has been delayed till Government of this ~~Local~~ Government & the communication ~~x Hindu religion~~ under preparation ~~for being sent~~ despatched this week are laid before

~~of~~ the amendment of the present law relating to ~~on this subject & their its~~ ~~[illegible]~~.

that the whole subject, both the Govt. proposals & our measure may be placed before the Supreme Govt ~~at the same time~~ at the same time. A communication ~~is [illegible]~~ to this effect is now under preparation & it is hoped will be despatched this week. ~~The intro-duction of your bill.~~ In view of this explanation you may deem it proper to postpone the introduction of your bill at the next meeting of Council

"Your objections to the Hon'ble ~~Ananda~~-Charlu's bill is also now under the consideration of Government; and the Government of India, will very shortly be addressed on the whole subject.

I may ~~also~~ add that by your asking the Hon'ble N Subba Rao to introduce the bill at the last meeting of the Council, you ~~have~~ appear to have virtually under the rules ceased to be the member in charge of ~~the bill~~ it & unless that Hon'ble member retransfers the bill to ~~charge~~ you, ~~it~~ I doubt if you ~~cannot~~ can rightly introduce it ~~the bill yet~~. ~~This, however, is a minor matter.~~

31/3/97

Note

The Hon'ble Member wants to know the views of Government in the matter of his introducing the bill at the next meeting of the Council. Dy

---

SECRETARIAT,
E. C.
No. 187
Dated, 31/3/1897

Legislative Dept

Dear Sir

In reply to your letter dated the 27 instant, I have the honour to inform you ~~that~~ a question has arisen as to whether your bill affects "the religion or the religious rites & usages" of the Hindus, so as to render essential the previous sanction of the Governor-General under section 43 of 24 & 25 Victoria Cap. 67, before its introduction. The bill also requires sanction of the Governor-General under section 5 of 55 & 56 Victoria, Cap. 14, though this sanction, however, may be obtained after the introduction of the measure, but before the passing of the same into law.

The question of addressing the Government of India on these points has been delayed till the views of this Government & its proposals for the amendment of the present law relating to Hindu religious Endowments are laid before the Government of India, the Govt. thinking it expedient ~~so~~ that the whole subject, both ~~the Govern-ment's~~ its own proposals & your measure ~~may~~ shd be ~~placed before~~ dealt with by the Supreme Government at the same time. A communication to this effect is now under preparation & it is hoped will be despatched this week.

work. In view of this explanation you may deem it proper to postpone the introduction of your bill at the next meeting of the Council. I shd. be glad to hear from you on this point at your very early convenience.

I may add that by your asking the Hon'ble N Subba Rao to introduce the bill at the last meeting of the Council, you appear to have virtually ceased, under the rules, to be the member in charge of it, unless ~~that~~ Hon'ble member retransfers the bill to you. I doubt, if you can rightly introduce it

(Intd) G. S. F.
30/3/97

To the Hon'ble K Kalyanasundaram Aiyar at

31/3/97

Now issue draft

30/3/97

[G./9]
1,000—19-2-97.

(1897) Department.

D. O No. 308

Hon Kalyanasundaram Aiyar's
Religious Endts Bill

D. O.

From The Hon K. Kalyana Sundaram
Tanjore

No.

Dated 3/4
Received 6/4 } 97
Registered 6/4
Enclosures -
Spare copies -

SUBJECT.

Stating that he wishes to postpone the introduction for the present of his Bill to amend the Religious Endowments Act XX of 1863 as he prefers that ~~is~~ it would be sent along with the Govt. proposals for consideration by the Govt. of India.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

D.C. 308

Tanjore
3rd April 1897

Dear Sir

Many thanks for your kind note of the 31st ult. It affords me sincere pleasure to learn that the proposals of our Government to amend the Religious Endowments Act are now ready for submission to the Government of India and I infer that my bill will also be sent along with the Government proposals for consideration by the Government of India.

Public

Legislative (1896) Department.

CURRENT No. ~~196~~ 3117

CHIEF SECRETARY
5. SEP. 1896
GOVERNMENT OF MADRAS

From

H. A. Stuart Esqre I.C.S.
Private Secretary to
H.E. the Governor.

No.

Dated 5th September 1896.

Received 5th do

Registered 7th do
do in Public 23rd do

Enclosures "

Spare copies "

US ~~Order~~

To await receipt of the bill.

DP
18.9.96

It will probably have to be of Public. Show C.A.
D

CRV
18/9

resubmitted to do A
[illegible]
19/9/6

To await file in curr - vide c No 3010 Pub linked 3080 with this. [illegible] meantime register in Public

SUBJECT.

Transfers a telegram dated 5th September 1896 from the Honorary Secretary, Avirotha-Sithanthu Sabah, Tinnevelly praying that the Devastanam Bill which is being printed, may be considered.

By order

H A Stuart
Private Secretar

Leg CWR
1120

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Code Class. Y.

INDIAN TELEGRAPHS

Monthly Number. 3661

To (Office)	Ootacamund	From (Office)	Tinnevelly

Words.	Day.	Hour.	Minute.	Official Instructions.
25	5	9	34	Readd at Madra

To (Person)	The Right Honble the Governor in Council	From (Person)	The Hon'ble Secretary of Avirothasithi Sabah

Devastanam Bill being printed follows pray for consideration

J

5/9

Recd. from LN. Sent to LN.

At Hrs. Mts. by At Hrs. Mts. by

Telegraph Master

OOTACAMUND 5-9-96

D. A. Secy / Hus

Code Class. } D

INDIAN TELEGRAPHS.

Monthly Number. 1715

To (Office) Ootacamund

From (Office) Tinnevelly

Words.	Day.	Hour.	Minute.	Official Instructions.
64	22	17	30	Readd at Kodaikanal and Madras.

To (Person) The Right Honble the Governor in Council

From (Person) The Chief Secy to the Amrotha Sthanastha Sabah

Thanks to the honorable
Mr Kalianasundram Iyer for
introducing a bill amending
the endowment Act and
the Government for sanction
beg to offer necessary
amendmendments consulting with
experienced trustees and Committee
it will take a
month prays to take
our suggestions also with
considerations along the bill
and decide the matter.

64 Word Form.

F. C. 2.

Recd. from LN. Sent to LN.

At Hrs. Mts. by

Telegraph Master.

OOTACAMUND 23-5-96

U. G. P.—No. 230 T—18-9-94—30,00,000.

CURRENT NO. 141.

Legislative (1896) DEPARTMENT.

From H. A. Stuart Esq. I.C.S.

~~The~~ PRIVATE SECRETARY ~~to the~~

His Excellency

~~Right Honorable~~ THE GOVERNOR.

CHIEF SECRETARIAT
23 MAY 1896
GOVERNMENT OF MADRAS

To

THE CHIEF SECRETARY

to GOVERNMENT,

DEPARTMENT.

LODGED.
DATE 1 - 6 - 1896

Dated 23rd } May 1896.
Received 23rd }
Regd 27th

ENCLOSURE.- Nil

Subject.

TRANSFERS a ~~petition~~ telegram from the Chief Secretary to the Amrotha Sethantha Sabha Tinnevelly stating that the Sabha are to offer certain amendments in connection with certain Acts and praying that their suggestions may be considered and decision passed on the matter.

Regd Ltt No

N

~~To await~~ Lodged till the next meeting of the Council -

D
1.6.96

7/5

Note Please see Endt on C No. 122 herewith put up.

RW
29/5

GOVERNMENT HOUSE,
MADRAS.

25th November 1896.

My dear Mr Clarke

The Private Secretary desires me to return the enclosed papers which belong to the Hindu Religious Endowments file.

Yours Sincerely
J Donald Gordon

C. A. Clarke Esqre

Legislative Clerk
These are for you I suppose
26/11

NOTE FOR THE

Please s

pasts legislat

141 lodged o

Herewith

CRV

1/7/9

Monthly Number.

nager

ffice

1896

Tinnevelly

certain

Rb

graph Master.

C G P—No. 63 T—

TELEGRAPHS Monthly Number. 1327

n Tinnevelly

From (Person) K. J. Shunmuga-sundram Pillai

th more

ect matter of

ultimo as

ed.

J. Mason for Telegraph Master.

F. C1.

---

do

22-6-96

(By Order.)

please inquire in Edl & L & M Depts & let me know. I keep the orgl here in view to make further inquiries.

25/6/96.

Private Secretary.

23/6

GOVERNMENT HOUSE, Ootacamund
23rd June 1896.

not Edl.

27/6.

Code Class. } P

INDIAN TELEGRAPHS

Monthly Number. } 1327

To (Office) Ootacamund

In Tinnevelly

Words.	Day.	Hour.	Minute.	Office Instruct
32	22	19	35	

To (Person) His Excellency
Governor in Council
Madras

From (Person) K. L. Shunmuga-
-sundram Pillai

32 Word Form.

Pray for one mth more regarding the Suet matter of my telegram of ! ultimo as my Uncle ed.

F. C1.

Recd. from	LN.	Sent to		
At Hrs. Mts. by		At Hrs. Mts. by		

J. Mason
for Telegraph Master.

C G P—No. 8 T.—25 4 '95—10,00,000

OOTACAMU 22-6-96

(By Order.)

H Albert
Private Secretary.

189
23/6

GOVERNMENT HOUSE,
Ootacamund
23rd June 1896.

8

~~Petition~~ Telegram from K.L. Shunmugam-Sundaram Pillai. Tinnevelly.

Dated 22nd June 1896.

Transferred to the Chief Secretary to Government for disposal

(By Order.)

H Alleuart
Private Secretary.
23/6

Government House,
Ootacamund
23rd June 1896.

URRENT NO. 164

Legislative (1896) DEPARTMENT.

From *H. A. Stuart Esqr. I.C.S.*

~~THE~~ PRIVATE SECRETARY TO ~~THE~~

His Excellency ~~RIGHT HONORABLE~~ THE GOVERNOR.

LODGED.
DATE 3-7-1896

To

THE CHIEF SECRETARY

TO GOVERNMENT,

DEPARTMENT.

GOVERNMENT OF MADRAS
24 JUN 96
LEGISLATIVE DEPARTMENT

Dated *23rd* }
Received *24"* } *June* 1896.

Recd for Registry 3rd July/96
& Regd

CHIEF SECRETARY
24th JUN. 1896
GOVERNMENT OF MADRAS

ENCLOSURE.

Subject.

TRANSFERS a *telegram* ~~petition~~ from *K. L. Shunmuga-Sundaram Pillai.*

It is by no means certain that this relates to Legve. Current 141: but the writer is responsible for the uncertainty.

Lodged
D
3.7.96

For Legve. Cabinet
[illegible]
11/7/96

[G/69]
9—15-8-95.

Legve. DEPARTMENT.

CHIEF SECRETARIAT, MADRAS.

Memorandum. *d/ 15/8/96.*

~~READ the following~~

The accompanying "lodged" pa
relating to the Bill to remo
certain defects in Act XX of 186
are forwarded to the Publi
Dept. for perusal and early
return.

Lionel Davidson
13.8

Secretary to the Counci

(They will be required a
fortnight before the next meeti
of the Legve. Council)
D

To

The Public Dept.
with papers in origl.
(C.Nos. 122, 141, 164 & 175 of 96)

Returned with thanks

[illegible]
Ag. C. S.
25/2/88

Fro

To

MADRAS
26 JUL 95

TENKASI PUBLIC LIBRARY
DATE 19/7/96
AND READING ROOM

Memorandum of

Suggestions to

Bill to remove certain

defects in Act XX of 1863.

TENKASI PUBLIC LIBRARY
DATE 19/7/96.
AND READING ROOM

தேவஸ்தானம் பில்லை அனுசரித்தெதிர்
மெமொராண்டம்

நம்மிந்து தேவாலயங்களின் சொத்துக்களும் விசாரணைகளும் 1817ம் வருஷத்து 7வது சட்டப்படி கெவர்மெண்டதிகாரிகள் வசமிருந்தது சரியானபடியாய் பரிபாலிக்கப்படாததால் அச்சொத்துக்கள் நாசமடைந்து வருகிறதென்பதும் அதற்கு காரணமான 1863ம் வருஷத்து 20வது ஆக்ட் மைனாரிட்டி கெவர்மெண்டு மதியின் பேரில் முன்னெடுவில் தயார் செய்தபோது அந்த நிர்வாக விஷயமாய் கெவர்மெண்டதிகாரிகள் அளவு கடந்து மறுபடியும் நேரில் பிரவேசிக்கப்படியாயிருப்பது சரியல்லவென்று இந்தியா கவர்மெண்டாரவர்களால் நிக்கரிக்கப்பட்டதும் அவ்வாதத்துக்கெதிரை கிடைமிலையாமல் அந்த பில்லை யோர்த்தெடுதுபடி ஒரு கமிட்டி நேமித்திருந்த போதிலும் விசாரவால் பரிகாரம் தேடவேண்டியதான இலகெகிய வாஷையத்தில் இப்போதிருக்கிற சட்டத்தின் கோட்பாடுகள் பிரயோஜனப்படாமலிருக்கும் வெளியப்படையான குறைபாடுகள் இலவரைக்கிடைத்ததாவென்றுவென்று இனியில் பேசப்பட்டு கௌன்சிலாகளில் ஏறுபெருகிய கௌரவ கல்யாணசுந்தரமய்யரவர்களால் ஒரு பில் தயார் செய்து அது கெஜட்டென் பிரசுரப்படுத்தியிருப்பதும் யாவருக்கும் தெரிந்திருக்கலாம்

அந்த பில்லில் 1863ம் வருஷத்து 20வது ஆக்டு 3வது பரிவில் கண்ட சொத்து விஷயத்தில் சாத்திரம் ஐந்து விதமான குறைபாடுகளை நீக்கியவென்றெண்ணப்பட்டு அவைகளை நிவர்த்திக்க இலவா திருத்தங்கண்டு 17 செக்ஷனுகளாக வகுத்தெழுதப்படுகிறது

யோஜிக்கவேண்டியவைகளான அந்த
குறைபாடுகளாவது

1 கமிட்டி அங்கத்தியர்கள் ஆயுள்வரையில் அங்கத்தியர்களாயிருப்பது

2 அவர்களை நீக்க அபிப்பிராயங் கொடுக்கத்தக்கவர்களுடைய ஜாபிதாவை இத்தம் செய்யவும் வேண்டியபோது அதை திருத்தவும் ஏற்ற நிபந்தனை யொழுங்குபடாமை

3 அனாகரிதையாகவும் கிரயப்படியாமலுமிருக்கிறவர்களுடைய கையின் வசத்தில் கண்டபடியாயிருக்கக்கூடாதென்று அதிகாரமில்லாமை

(2)

4 நியமதிகளை வைத்து ஆதரிப்பதற்காக தேவஸ்தானங்களிலிருந்து தொகை வசூல் செய்ய கமிட்டியாருக்கு அதிகாரமுண்டாயிருக்கிறதென்று வெளிப்படையான நிபந்தனை ஏற்பட்டிராமை

5 கமிட்டியார் கணக்குகளை வைத்திருக்கவேண்டுமென்பதற்கு கமிட்டியாருடைய கணக்குகளையும் மேல்படி கமிட்டியுடைய கணக்குகளையும் வருஷாந்தரம் பரிசோதிக்கவேண்டுமென்பதற்கும் ஏற்ற நிபந்தனை ஏற்படாமை என்பவைகளை

இவைகளில் முதல் [illegible] சங்கதியால் கமிட்டி அதிகாரர்களுடைய உத்தியோகம் இவ்வளவு காலம் வரையிலாவது ஐந்து வருஷக்காலம் வரைக்கிருக்கத்தக்கதென்று ஓர் வரையறை [illegible] [illegible] ஒழுங்கு செய்யவும் அதில் [illegible]. சாஸனங்களில் 1863 வருஷத்து 20 வது ஆக்ட்டு 10 வது பிரிவுப்படி மேல் [illegible] [illegible] [illegible] ஒழுங்கு செய்யப்படியாகவில்லையில் 4 பிரிவில் 9 வரையிலுள்ள பிரிவுகளில் நிபந்தனை கண்டபடியேயும் சகல ஜன சம்மதியானவைகளாகவேயிருக்கிறது

என்று [illegible] ஜில்லா ஜனங்களுடைய அதுபோகத்துக்கு [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

அதனையாவது 1863 வருஷத்து 20 வது ஆக்ட்டு 7 வது பிரிவில் [illegible] அல்லது மேல்படி கமிட்டியும் [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] ஜனங்களுடைய [illegible] [illegible] அந்த ஆக்ட்டை [illegible] [illegible] [illegible] [illegible] அந்த [illegible] [illegible] பிரியப்பட்டவர்களின் பிராயத்தனத்தால் இரண்டொரு ஜில்லாக்களில் ஜில்லா [illegible] [illegible] கமிட்டியார் [illegible] [illegible] [illegible] அதனுடைய [illegible] கணக்கிடவும் [illegible] [illegible] வெண்டுமென்று [illegible] [illegible] [illegible] வேண்டியதாகவேயிருக்கிறது

(3) அநேகதேவாலயங்கள் கம்பெனியார் வசக்கு 40 – 50 வருஷமாய்
தவசத்திலிருந்து கொண்டவருகிறது அப்போ அந்த தேவால
யங்களில் நடக்கும் தர்மங்களும் உத்சவங்கள் முதலிய குறைந்து
போ தெரியப்படுத்தும்படி ஏழுவர் பிராமணரைப் போய் ஞாயம்
பெருமன் வைகோலமாகும் அதனால் அனேக கரிசனம் அ
சாத்தியமுண்டாகும் இதுயம் பெருவதுகூடாது பிரியாது கொ
ண்டுபோகிறவர்கள் தன் தொந்த ஜீவேதி ஜனும் பிரியாது கடு
காரணமான தர்மகர்த்தர் கோவில் ஜீவேதி ஜனும் இலவருமம்
பட்டெரிடுவேது இல்லை உத்தேசித்து சாதாரணமாய் பவ
ரும் குறைபாடுகளை தெரியப்படுத்த கூடுமென்டாகமாட்டாது
கோவிலில் பறுசனா சாதாரண ஏழுமை உன் தனமாவர்த்தி
இலவுபோக விருத்தைக்கொண்டு தேவாலயத்தொத்தை கைசர்த்தறை
செய்யும் தர்மகர்த்தர்களை நல்லஸ்திதிக்கு கொண்டுவரவே
துபரணதல்ல வேகுறையாடுகளை தெரிவிக்க ஏழுதரம் போக்குவ
ரது செய்ய சாதாரணமாய் ஏழுமை உசனுக்கு 10 ரூபாய்க்கு மேல்
திலதுபட்சக்கும் ஏருகெசக்காக பெத்தமெயோதயாபோக்குவரவு
செய்யவேண்டியதாகவும் வரும் சாக்ஷிகளை கட்டாயமாக வரவ
ழைத்து விசாரிக்க அதிகாரமில்லாத அக்கம்பெனியார்களுடன்
சாக்ஷிகளை அழைத்துப் போகவேணுமென்றேலோ செலவை
சொல்லவேண்டியதில்லை அதில் நைரியமை நீதாலும் தர்ம
கர்த்தர்கள் இவைகளை எதிர்த்து போய் போட வழக்காடும்படி
திறதில்லை கம்பெனியார் விசாரித்து கொடுக்கவேணுமென்
றலோ தர்மம் நிந்தனையுள்ள நல்லகம்பெனியாராயிருந்தால்மட்
டும் நடக்கும் அவர்களை கட்டாயப்படுத்த ஆக்ஞையில் வாதிகளை
ணாருமில்லை பட்டெறியாடு கணமில்லை கம்பெனி உத்தியோகஸ்தர்
கள் வந்தாலோ சாக்ஷிக்காரர்களை வேட்டையாடிவைத்து
சியப்பிர பெயசனத்தை நாடுகிறவர்களாகிறார்கள் தெரியா
ய் சாக்ஷிக்காரருக்கு கிடைப்பது அவமானந்தானே கோவில்
சொத்தை அநுபவிக்கிறவர்களுக்கு இதனால் தணிரும்வெ
ண்டும் அதிகந்தான் கவலியமிதி வருவியபடி பொருவெ
ளையவர்களும் அபகரியமையாவத்தும்யா ஜீவனகளையோல்
யாவமே அவர்களுக்கு பிரயோஜனத்தை ஆகுமென்று ஜீயநத்து
பொதுமை பெடுஜனங்களெல்லோரும் நல்ல காவலை ஏது
எதிர்பார்த்துக்கொண்டிருக்கிறார்கள்

ஆதலாலே கெடுதலே உத்தேசித்து நம்மையாளு [illegible]
முறைமைகளும் பலவிதமாயில்லாமல் ஒரே ஏற்பாடாக நாஜி
காரியாய் குமிட்டி பேறும்படி தீர்த்து உறுதியாய் 1863 வருஷ
த்து 20வது ஆக்டு 7வது பிரிவில் ப்ரகாரம் ஏற்பட்ட இருபி
தான் [illegible] விதமாய் கமிட்டிகள் பிரித்து இவர் கையோடு பொதை பொறுக
ணைடத்து [illegible] காரணத்தால் கெட்டுப் போனதேசம்
னை [illegible] பொருளும் [illegible] வெடுத்துக்கட்டக்கவும் இ
படித்த [illegible] முக்கியமானதுமான இந்த [illegible]
டைநடத்திக்கொள்ளா விட்டால் இனிமேல் [illegible]
வாய் போகிறது இதையில் அதிகாரியும் [illegible] களும் திருந்தா
[illegible] ஒரேதிருதியாய் அல்லது [illegible] கேடுந்கோ
ள்கிற இடத்திற்கு [illegible] தாலூகா வாரியாய் கமிட்டியேற்படுத்திரு
லென்றும் இனி அப்படி சேர்க்கிறகிடங்களுக்கும் அப்படியே அது
கொடுக்கவும் அதை நடத்திக் கொடுக்கிற அதிகாரம் [illegible]
[illegible] வியக்கமான விதியை அமைத்துத்தரவேணும்

மேலும் ஐந்துவரு
ஷத்துக் கொருதரம் நேமகமாகிற கமிட்டிக்கு 3 அல்லது 5 பேர்க்
கு அதிகப்படாமலிருக்கவேணும் அதாவது அந்தந்த தாலூகா
தேவாலயங்களின் வரும்படிக்கும் நிர்வாகத்துக்கும் தக்கபடி நம
ர்கள் [illegible] வீண்க்கூடி வாதங்களும் [illegible]
ர்கள் தெரிந்தெடுக்கும் அத்தாலூகா [illegible] வேணு
ம் யேனென்றால் இப்போ ஜில்லாமெத்த நேமிக்கிற கமிட்டியால் கமிட்
டியாருக்கு [illegible] தகுந்தவர்கள் கிடைக்காமல் தாலூகாகளிலே
யும் தெரிந்தெடுத்து நேமித்திருக்கிறதில் அவர்களையே அசை
[illegible] கூடவேண்டிய கமிட்டி
[illegible] கமிட்டி கூடாமல்
[illegible] அனேகங் கெடுதல்கள் நேரிட்டுவருகிறது
ஜில்லாமெத்த மெம்பர்கள் கிடையாது அரிதாகும் பொது தா
லூகா வாரியாய் ஐந்து வருஷத்துக் கொருதரம் [illegible]
தெரிந்தெடுக்க தகுந்தவர்கள் கிடையாததும் அபூர்வமதனால்
ஒரு தரம் நேமிக்கப்பட்டவர்கள் யோக்கியதையாய் நடந்துகொ
ண்டால் அவர்களுக்கொப்பட்ட காலம் கழிந்தபின்பும் அவர்களு
[illegible] பெருவதற்கு தடையில்லாமலிருக்கவும் வேணும்
மெம்பர்களில் ஒருவர் 3 தரம் ஒரே சேர்க்கையாய் மீட்டிங்கு
கு வராமலாவது [illegible]
கடையாய் மீட்டிங்கு கூடாமலாவது இருந்

(5)

தன்றி எலக்ஷன் மூலமாய் மெம்பர்களை தெரிந்தெடுக்கும்படியான விதிகளை ஏற்படுத்தவும் வேண்டும்

பில்லில் இரண்டாவதாக குறியிட்ட சங்கதியால் பில்லில் 10 வது பிரிவில் கண்ட கமிட்டியின் அந்நிய ஸதஸ்களை தெரிந்தெடுத்து நியமிக்கும் எல்லாக்காலத்திலும் அபிப்பிராயம் கொடுக்க கெவர்மென்டாரவர்களால் ஏற்படுத்தப்படும் விதிகளின்படி யோக்கியதையுள்ள வாக்கின் ஜாப்தாவை ஒவ்வொரு கமிட்டியாரும் வருஷந்தோறும் நவம்பர் மாசத்தில் தயார் செய்யவோ அல்லது அதை திருத்தவோ செய்து தங்கள் ஆபீஸில் தெரியும்படி வைத்திருக்க வேணுமென்றிருக்கிறது 1863 வருஷத்து 20 வது ஆக்டு 10 வது பிரிவிலும் மேற்கண்ட விதிகளை கெவர்மென்டாரவர்களே தயார் செய்ய வேணுமென்றிருக்க இதுவரையிலும் அதையனுசரித்த நிபந்தனைகள் ஏற்பட்டிராதது திருநெல்வேலி ஜில்லாவில் கனம் [illegible] துரையவர்கள் டிஸ்டிரிக்டு ஜட்ஜியாயிருந்த காலத்தில் அவர்கள் கோர்ட்டு மூலமாக கமிட்டி ஸ்தானத்தையனுசரித்து நடந்தபோது கமிட்டியார் மெம்பர்க்கு அபிப்பிராயத்தை யடைகிறவர்கள் திருநெல்வேலி பக்கங்களிலுள்ள வண்டிகளை தீர்ப்படி ஜனங்களை கூலியாக கொண்டுவந்து நீதுத்திலே எனக்கு சம்மதி சொல்லுநயா ரு 1/4 ரூபாயாகிலும் எனக்கு சம்மதி சொல்லுகிறதுக்கு நயா ரு 1 ரூபாய் என்று கூலியாக பணங்களை யப்பிரிக் கோர்ட்டு முன் கொண்டுவந்து வைத்துக்கொண்டு அவரிடத்திலே தவம் கேட்டு ஏராளமாய் அநுகூல அபிப்பிராயத்தை யடைந்தவர்கள் அந்தந்த வேலையவர்களாயிருந்து எலக்ஷன்படியோ கவர்மென்டாராலோ அவர்களில் சிலர் நியமிக்கப்பட்டிருக்கும் போதோ ஏதுவாதமாய் கமிட்டிக்கு லாயக்கில்லாதவர்களும் அந்த வேலையால் துணிந்து கொள்கிறவர்கள் வருமடியையை இருக்கக்கூடாதென்றும் விசாரணையால் இவ்வடியவர்களுடைய எண்ணம் எப்படியென்பது யோசிக்கிறவர்களுக்கு தெரியும் செல்லாமல் போகாது ஆதலால் ஓட்டுக் கொடுக்கிறவர்களும் யோக்கியதையுள்ளவர்களாக வேணுமென்று கண்டபடியிருக்கிறது இப்படிப்பட்டவர்கள் ஓட்டுக் கொடுக்கத் தகுந்தவர்களென்று இவ்வேற்படு

(6) லிஸ்ட் தயார் செய்து பில்லுடன் சேர்க்க வேண்டும். அந்த லிஸ்டுகளின்படி வோட்டர்களின் ஜாபிதா கமிட்டியாருந் தயார் செய்ய வேணும். அப்படி ஓட்டுக் கொடுக்கத் தெரிந்தெடுக்கிறவர்கள் எழுதப்படிக்கத் தெரிந்தவர்களாயும் வருஷம் 1க்கு 50 ரூபாய்க்கு மேல் கெவர்மெண்டு தீர்வை செலுத்துகிறார்களும் 1865 வருஷத்து 3வது ஆக்டுப்படி கதளாநிவர்களும் அவர்களுக்கு வருஷம் 1க்கு 100 ரூபாய்க்கு மேல் தீர்வை செலுத்துகிறவர்களும் வருஷப்படி தீர்வை கட்டப்பட்ட வியாபாரிகளும் மாசம் 1க்கு 15 ரூபாய்க்கு மேல் கெவர்மெண்டு வேலையா தொழிலிலிருப்பமுதலிய பொதுசபைகளிலோ கம்பேனி முதலியவையால் நிலங்களிலோ உள்ள உத்தியோகஸ்தர்களைத் தெரிவாளர்களோ அவர்களும் அதிலிருந்து பென்ஷன் பெறுகிறவர்களாயிருக்க வேண்டும்.

பில்லில் முன் வைத்த குறிப்பிட்ட சங்கதியில் டிரஸ்டிகளைக் கமிட்டியார்கள் நீக்கக் கூடுமென்கிறதை விதிகள் மட்டும் ஏற்படுத்தப்பட்டிருக்கிறது சரியானது தான். ஆனால் அந்த வேலை காலியானவர்களுக்குப் பதில் நேமிக்க வேண்டிய ஒழுங்குகளை இந்த பில்லில் ஏற்படுத்தவில்லை. அது சங்கதி 1863 வருஷத்து 20வது ஆக்டிலும் வியக்தமாயில்லை. அதனாலே கமிட்டியார்கள் ஜனங்களுடைய சம்மதமில்லாமலே தங்களிஷ்டர்களையும் பந்துக்களையுமே நியமித்து அநியாயஞ் செய்யக்கூடும். இப்போ அப்படியேதான் நடந்து வருகிறது. இந்த சமயங்களில் ஏதாவது ஒரு காரணங்களை வைத்துக்கொண்டு கோவில் சொத்துக்களை ஒரு ஆள் கையிலும் வைத்துக்கொள்ளுகிறார்கள். கமிட்டியார் வேலையும் தர்மகர்த்தா வேலையும் ஒப்படுத்தால் தர்மகர்த்தா வேலைதான் சொத்துக்களை ஸ்வாதீனம் செய்து பாதுகாக்கும் பொறுப்பான தயாரிக்கிறது. அதில் தான் எல்லா யோக்கியதையோடு சாஸ்திர ஞானமுள்ளவர்களாயிருக்க வேண்டும். இப்போதையபோல் ஈனர் யோக்கியதையையும் நிலைமையும் கவனிக்காமல் பெரிசை மட்டும் கவனித்து நியமித்தல் கூடாது. அப்படி ஏற்படுத்திலவர்களே தெலவாதாக அந்தந்த தேவஸ்தானங்களைப் பார்க்க

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தக்கபடி ஜனங்களுடைய சம்மதத்தின் பேரில் 1 முதல் 5 வரையுள்ள நியாயக்கிரகத் தெரிந்தெடுத்து நியமித்து வந்தார்களவர்கள் சரியாய் நடக்கிறபடிக்கு இவர்களையு சுபரியந்தம் யார்க்குடம் கொடுத்தும் வந்தார்கள் போர்ப்பாரவைக்காரர் கிராமம் நியமித்து முதலந்த வழுங் கான தேசங்கள் கடலோடு வருந்து போய் விட்டது அந்த இந்த பில்லிலும் போற்பயதெந்த விபால் தம்மகர்த்தாவுக்கு தெரிவழிள்ளவர்கள் அவர் வெலவ டார்கள் வெணபதாய் போஜிக்க வேண்டியது

பில்லின் நாலாவது ஸெக்ஷனியாட்ட கமிட்டி சிலவுக்கு வகையிடுவதை யநுசரிய சநுகதியால் யாதொரு ஆக்ஷேபனைகளுமில்லை அது அவசியமானதாகவும் சரியானதாகவுமிருக்கிறது.

பில்லின் ஐந்தாவது ஸெக்ஷனியிட்டணத்துக்கு பரிசோதனை வாசயம் நியமிக்கியாறது அவர்களை நேமிக்கிற அதிகாரம் கமிட்டியார்களுக்குதவ் கணக்கில் உள்ள உரசுகள் வேறொனுடம் வெளிக்கவாது பரிசோதக்காரரை கமிட்டியார் குறித்த காலத்தில் நேமிக்காவிட்டால் ஜனங்களுடைய பிரார்த்தனையின் பேரிலாவது டிஸ்திரிக்டு கோர்ட்டாரவர்கள் சுயமாயாவது நேமிக்கலாமென்றது பில்லில் விதிகள் போற்பயதெதவராயனால் ஆறுமயாகவே ஜனங்களுக்கு தேடுக் கொண்டதின் பேரிலாவது டிஸ்திரிக்கட்டு கோர்ட்டாரவர்கள் தானேயாவது யென் நியமிக்க கூடாது கமிட்டியார் நியமிக்கிறதானால் இவ் பொதுக்கிற அவர்கள் வேலைக்காரர்களுக்கும் இனி நேமிக்கப்படுகிறவர்களுக்கும் எனனவித நியாயம் இவைகளை கவனிக்கவேண்டுது பில்லதிகாரியின் கைத்துப்பட அயாதேவகு விரோதனையெ உண்டாகாது ஆதலால் அந்த வெகு அதிகாரம் ஜனங்களாலேயும் அதை உறுதிப்படுத்துவது அல்லது டிஸ்திரிக்கட்டு கோர்ட்டாரவர்கள் தானே நேமிப்பது ஏது உசிதமென அதை பில்லில் சேர்க்க வேணும் இந்த வேலைக்கு பிரதிவா பொதுவையம் பில்லில் போறுயமுந்தயட. ஆங்கிலத்து ஜமீன் கணக்கில் யால் செய்தவர்கள் அல்லது யாதியவர்கள் உத்தியோகங்களிலிருந்து வென்ஷன் பெறுறவர்கள் வைக்கின்கள் இயட்டையபட்டணமென்னவ்வாகவே அவ்வேலைக்கு உபயோகியப்படுகிற செய்வார்களாதலால்

[illegible]

இதில் சொல்லுகிறபடி செய்ய அதிகாரத்தை அவனுக்கு
தான் உறுதியாயிருக்கிறது

மேலும் 1863ம் வருஷத்து 20வது
ஆக்ட 14வது பிரிவில் அந்தந்த ஸமயத்து நிலமானியர்
களுக்கு தேவாலயங்களின் இறைபாடுகிற கோர்ட்டில் ஜில்லாக்க
ஸத்திரத்தாருங் கொடுக்கப்படியிருக்க அப்படிப்பட்டவர்களுக்காவது
அல்லது பாதுகாக்கிறவை பேர் முதலிய கனவான்களுக்காவது
அந்தக் கணக்குக் கமிட்டி துர்ச்சாயங்களில் பார்க்க மந்தமில்லாமல்
வன் ஸத்திரங் கொடுக்கக் கூடாதென்பது கிரயம் பொருந்திக்க
வேண்டும் இப்போது அந்தக் கணக்குக் கமிட்டியார்க்கு வேறு மெனாவி
யத் தீர்மானம் செய்தால் தர்மகர்த்தாவோ கமிட்டியாரோ அல்லது
அவர்களுக்குத் திரோகஞ்செய்தவர்களோ அதற்கிடங் கொடுப்பதில்லை
அதை ரகசியமாய் வைத்துக் கொண்டிருக்கிறார்கள் இதைப் பா
ருமேல் அப்படி இறைபாடுகிற அறிந்து கோர்ட்டில் பிரதாபம்
தேடுவது கமிட்டியாரோ தர்மகர்த்தாவோ அவர்களுடைய
கவுத்திரத்தினால் அவர்கள் வேலைக்கு அமர்ந்திருந்தால் ஐசுவரி
யவான்கள் கிருணைக் கண்டுபிடித்தும் பின்பேர்ப்பாய் பிறு
து சொல்ல வேண்டிய நியமப்படி உண்மையை உடனே
கூட்டுண்டு அறியமாட்டார்கள் பருக்கிறதில்லை வேறு விதமாய் தமது
கப்பட்ட காரியங்களை விசாரித்துப் பிராது செய்யும் அதிகாரம்
பெறுகிறதில்லை அவர்கள் கணக்குக் கொள்ளவும் ஜோடித்துத் தீ
ர்த்துப் போகிறது அந்தந்த கோர்ட்டில் ஐந்து ஆகப்பட்ட வழக்குப்
பிரகாரம் அனேகம் வாவதிலங்கங்களுக்கு கிரயம் வைத்து
ம் சொந்தம் ஜாமீதுக் கோரும் அந்தத் திருவசனத்தினால்
பரிமிதமாய் லாவித்து வருகிறபடியால் இருக்கிறது பெரிய
தேவாலயங்களின் வருத்த வருத்தம் இப்படியும் நடந்தேறிய
ருக்கிறது அப்படி வருகிற அந்த கோர்ட்டில் உறுதியாகவுந்
தீர்க்கிறதுக்கு வெகுமதிகளும் வேண்டியதாயிருக்கிறது இது தவிர
தியைக் கமிட்டியோ தர்மகர்த்தாவோ ஆக்ஷேபிக்கக்கூடியது
மல்ல அப்படிக்கிருக்கத் தகுதியைப் படிப்போது கணக்குக்கு
பார்க்க வேறுவேறு கோட்டான் வகைகள் பிறி ஒரு கதி செய்தின்
கணக்கைப் பொய்ப்படக் கொள்ளுகிறார்கள் தீர்க்கன் ஜன
ங்களின் பாதிப்பில் பார்வையாகவுதால் ஒப்பிக்கப்பட்டவர்க
ளெனத் தீர்க்காமல் மறுத்துப் போகிறார்கள்

(8)

[illegible]

(9)

1863 ம வருஷம் 20 வது ஆகஸ்டுல் [illegible]
[illegible] உண்டாகும்படி [illegible]
[illegible] தீர்ந்து [illegible]
[illegible] இந்த [illegible]
[illegible] தேவாலயங்களிலும் [illegible]
[illegible] வைத்து [illegible]
[illegible] அந்தந்த ஜனங்களால் [illegible]
[illegible]
[illegible]
[illegible] கண்ட [illegible]
இதில் கண்ட [illegible]
[illegible] காரியம் [illegible] பொது ஜனங்களும்
[illegible] கொண்ட [illegible] காரர்கள் [illegible]
3 வது [illegible] கண்ட தொகையின் அளவில் [illegible]
[illegible] என்று ஜனங்கள் [illegible]
கிறார்கள்

[illegible]
[illegible]
[illegible] அதாவது 1863 ம வருஷம் 20 வது ஆகஸ்டு
4 வது [illegible] கண்ட தொகுத்த [illegible]

1 வது. சென்னப்ப
ட்டணம் ராஜதானியைச் சேர்ந்த ஜில்லாக்களில் பகுதி
இந்த தேவஸ்தானங்கள் [illegible]

2 வது. [illegible] காரியங்களாக [illegible]

3. [illegible] ~~[illegible]~~ [illegible] பொது [illegible]
[illegible]

4. அவைகள் [illegible]
[illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

13/3/59

[illegible]

2. [illegible]

3. [illegible]

4. [illegible]

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(10) 1817 ௵ஷத்து 7 வது சட்டத்து உண்டாயின அதிகா
ரம் பரிபாலித்து வந்த ரெவினியூ போர்டவர்களுக்கு அதிகா
ரம் கொடுக்கப்பட்டிருந்தது மேற்படி சட்டத்தினாலே [illegible]
ரங்கள் [illegible] அதின் அக்தர்கள் அந்த
வந்து தர்மத்தை செய்தவர்கள் அல்லது அவர்கள் சந்ததிகள்
அல்லது அவர்களால் நேமிக்கப்பட்டவர்கள் வசமிருந்த தே
[illegible] தர்மங்களையும் அதைச் சேர்ந்த சொ
த்துக்களையும் ரெவினியூ போர்டவர்கள் தாங்கள் உ
ண்டாகிய கமிட்டியார் ஸ்வாதீனமாய் கைவசப்படுத்திக் கொண்டு
பரிபாலித்தும் அக்தர்கள் அவர்கள் வாரிசில் அவர்களால்
நேமிக்கப்பட்டவர்கள் இவர்கள் வசமிருந்த சொத்துக்க
ளின் பேரில் மேல் விசாரணையும் வைத்துக் கொண்டு
பரிபாலித்தும் வந்தார்கள் ஆனால் 1842 ௵ஷத்தில்
ரெவினியூ போர்டார்கள் கைவசம் வைத்து பரிபாலித்து
வந்த சொத்துக்களை [illegible] தேவாலயங்களுக்கும் பால
கரை ஏற்படுத்தி அவர்கள் வசம் ஒப்பித்து அந்தப் பால
கர்கள் பேரில் மேல் விசாரணையும் அக்தர்கள் பேரிலு
ள்ள மேல் விசாரணையும் வைத்துக் கொண்டிருந்தார்கள் ஆனால்
1863 ௵ஷத்தில் பொது தர்மம் தவிர [illegible] விசாரணைகி
ளையும் [illegible] ஒழித்து விடும் போது 1863 ௵ஷத்து 20வ
து ஆக்டு 3 வது பிரிவுப்படி பாலகர்களின் பேரிலும் அவர்கள்
வசமிருந்த சொத்துக்களின் பேரிலுமிருந்த மேல் விசாரணையை
[illegible] ஆக்டு 7 வது பிரிவுப்படி கமிட்டியார் நேமித்து அவர்களை
வசம் ஒப்பிவித்தும் தவிர 14 வது பிரிவில் கண்ட அக்தர்
கள் வாரிசில் அவர்களால் நேமிக்கப்பட்டவர்கள் இவர்கள்
பேரிலும் இவர்கள் வசமிருந்த சொத்துக்களின் பேரிலுமி
ருந்த மேல் விசாரணையை [illegible] விட்டபடியால்
[illegible] அல்லது [illegible]
து [illegible] அந்த மேல் விசாரணையை வை
14 வது பிரிவில் கண்டவர்களுக்கே உரித்தாக்கித் தந்து
கள் ~~[illegible]~~ விசாரணையை ஏற்றுக் கொண்டவர்
கள் [illegible]
[illegible]

[illegible]

(11) அதையொப்படியே தேவாலயங்களும் 3வது பிரிவில் கண்ட
தேவாலயங்களுக்கு சம்பந்தப்பட்ட கட்டளைத் தர்மங்களும் அ
திலடங்கியிருக்கிறது மட்டுமல்ல [illegible] அநேக
தானமுதலிய பொது தர்மங்களும் அடங்கியிருக்கின்றன
அவைகளை நடத்திக்கொண்டு வருகிறவர்களோ பெருமையும்
[illegible] அவர்களைத் தர்மகரியங்களுக்கென்று
நியமிக்கையோடு [illegible]
இந்த விவரங்களை [illegible]
[illegible] தயார் செய்து ஆதி உத்தேசப்படி சரியாய்
நடக்கும்படியான ஏற்பாட்டை [illegible] ஜாமீன் அல்லது
[illegible] கூட அநேகமாய் பெ
[illegible] அப்படி செய்யாத குறைவினாலே பெரு
மையான தர்மங்கள் [illegible]
தர்மங்கள் நின்று போய்க்கொண்டு வருகிறது அவைகளோ
[illegible] சாஸ்திர [illegible] கூடுகிற
[illegible] வரப்போகிறதுமான
[illegible]
சொத்துக்களையும் வரும்படிகளையும் நாசம் செய்து கொண்டு
[illegible] செய்வது
[illegible] தேவாலயங்கள் [illegible]
அவர்கள் [illegible]
[illegible]
அந்த ஜனங்களுக்கு [illegible]
[illegible]
[illegible] அவர்கள் [illegible]
[illegible]
[illegible]
[illegible] அதிகாரியின் [illegible]
[illegible]
[illegible]
டுமென்று விட்டுவிடுவது [illegible] ஆதலால் இதை
யறிந்து ஆலோசித்து தர்மங்கள் சரியாய் நடந்தேறிவ
ரும்படியானவிதமாய் சட்டமேற்படுத்தி [illegible] கொண்டு
வரவேணுமென்று பிரார்த்திக்கப்படுகிறது.

18.7.96.
தென்காசி

[illegible]

TENKASI PUBLIC LIBRARY
DATE 19/7/96
AND READING ROOM.

Proceedings of the meeting of the Public Library and Reading Room Tenkasi held on 18th July 1896.

Present

M.R.Ry Thamba Pillay Avergal Chairman
" Avoodainayagam Pillay Ayl.
" Namasivaya Mudaliar Ayl.
" Suriyamurthiya Pillay Ayl.

Resolved that a memorandum of suggestions to the Bill (in Tamil) to remove certain defects in Act XX of 1863. prepared by Avoodainayagam Pillay Ayl. and passed unanimously by the members of the institution, be forwarded to the Secretary Legislative Council Madras for favour of Consideration

(Signed) Thamba Pilly
Chairman.

(True copy)

R. Tamba Pillai
Chairman.

CURRENT NO. 17

TENKASI PUBLIC LIBRARY
DATE 19/7/96
AND READING ROOM.

JUL 96

From

The Secretary to the Tenkasi Public
Library and Reading Room.

To

The Secretary
Madras Legislative Council

Sir

I have the honor to submit herewith copy of a Resolution passed in the meeting held on 18th July 96 together with a memorandum of suggestions to the Bill to remove certain defects in act XX of 1863.

I have the honor to be
Sir
Your most obedient Servant
P. Sundaram Pilly
Assistant Secretary.

Tenkasi }
19th July 96.}

C.O./

navac

From
The Secretary to the [illegible] Hindu Sabha
Literary and Reading Room.

To
The Secretary,
Madras Legislative Council.

Sir,

I have the honour to forward herewith copy of Resolution passed in the meeting held on 15th July 96 together with a memorandum of suggestions to the Bill to remove certain defects in Act XX of 1863.

I have the honour to be,
Sir,
Your most obedient servant

Tuticorin
19th July 96

C.O./

Memorandum of
Suggestions to Bill to remove
certain defects in Act XX of 1863.

It is a known fact that religious endowments were under ~~Act~~ Regulation VII of 1817 managed by Govt. officials, that as such management was not ~~effective~~ efficient a Bill to amend Act XX of 1863 was prepared by Govt's permission and that as this Bill was not approved by the Govt. of India another Bill to remove certain defects in the said Act has been prepared by the Hon. K. Kalyanasundaram Aiyar and published in the Gazette.

?

Section 17 of that Bill proposes to remove the five fold defect ~~ob~~ observed in regard to the property referred to in Section 3 of Act XX of 1863.

The defects to be considered are: "(1) the life long membership of Committee members; (2) the absence of a provision for securing the proper preparation and revision of lists of voters; (3) the powerlessness of Committees to deal effectually with negligent and disobedient trustees, unless it be by a costly and tedious legal procedure; (4) the absence of an express provision enabling Committees to collect money from temples for the maintenance of their establishments; and (5) the absence of a provision to ensure the ~~ma~~ maintenance

maintenance ~~of~~ of accounts by the ommittees and ~~[illegible]~~ the Scrutiny of ccounts of Committees and of rustees annually".

As regards (1), the provisions contained in Sections 6 to 9 limiting the tenure of ffice of Committee members to 5 years nd in cases of omission ~~[illegible]~~ empowering he Dt Court to make appointments nder § 10 of Act XX of 63, have been pproved of by all.

Under this head however certain defects prevalent in the Tinnevelly Dt have yet to be considered.

Section 7 of Act XX of 1863 does not limit the number of Committees to be formed in each District or Division and some people have taken advantage of this and without ~~consl~~ consulting the convenience of the public have in certain Districts restricted the number to 1. The disadvantages resulting from this — and they are innumerable — should be briefly stated.

Many temples are at a distance of 40 or 50 miles from the Committees' ffices; and it is impossible that the rregularities committed in such emples can easily be brought to light. ny one wishing to carry a complaint the Committees will have to undergo an xpense of Rs 10. If a case ~~[illegible]~~ ~~[illegible]~~ is brought the journey to the Committee's office has to be repeated and

and the item of expense above referre to greatly increased. The cost of producing witnesses before a body which has no power to compel their appearance is beyond estimation. Even if it be made bold to undertake all this expense it is always impossible to compete with the Dharmakarta's purse. There is nothing in the Act to compel Committee members to inspect the place of dispute (?) and if Committee servants undertake this task it is only with a selfish motive. After all shame & ridicule fall to the lot of the man who conducts the case and those who feast on their illgotten gains are emboldened to darker acts of sin and pious people look on helplessly expecting some superhuman interference in the matter of putting an end to such state of things.

Under the circumstances it is advisable that a rule establishing a Committee for each Taluk must uniformly hold good throughout the Presidency, that ~~so~~ the Committee must be located at a place appointed by the ~~[illegible]~~ public voice and tha this rule must in clear terms name the individual empowere to to give effect to the people's wish. It is therefore requested that the Hon. member in charge of the Bill and other Hon. Members will be pleased to ~~take~~ consider the above suggestion at this splendid opportunity and give effect to a reform simple but pressing.

The Committee nominated once in 5 years must not consist of more than 3 or 5 members; for the restriction that the strength of a Committee must be in proportion to the income and management of the 'devastanams' in the Taluk secure the absence of all unnecessary discussion. Members of Committees must be residents of the Taluks in which they are located. This will afford more facility than now exists, for Committees to meet as often as is necessary. Members who have been satisfactorily discharging their duties must not be debarred from standing for re-election. Rules must also be framed for the removal of one or more members absenting themselves consecutively from three meetings and for filling up by ~~ele~~ election the vacancies so created.

As

As regards the 2d defect ~~so~~ referred to above § 10 of the Bill ~~provides~~ lays down that "Every Committee shall before the 1st day of December prepare, print, and hang up in its office, a list of persons qualified under the rules framed by Govt. to vote at the election of Committee members and in the month of November previous to every succeeding general election, revise the said list, and print, and hang up in its office, such revised list." Under § 10 of Act XX of '63 the Govt. has to frame the rules regarding the qualifications of voters & the fact that Govt. has not been active in that direction has led to many abuses. When Mr Graham was Dt Judge of Tinnevelly the candidates who offered themselves for election as Committee members gathered the masses together before the Court and openly bribed the crowd at the rate of ~~[illegible]~~ a few annas per head; and ~~[illegible]~~ although the Dt Judge cancelled the election and made the appointments himself, undeserving men at last got into the

Committee

ommittee. Voters therefore
~~[illegible]~~ must possess certain qua
lifications. What they are must
t once be determined and em-
bodied in rules which must be
tagged on to the Bill. The Com-
mittees must prepare lists of
voters so qualified. Voters must
know to read and write, must pay
tax of more than Rs 50 to Govt,
(either)
must be landowners within the
meaning of Act VIII of 1865, (or)
ryots paying an assessment of
more than Rs 100 per annum, (or)
merchants assessed to income tax,
(or) ~~[illegible]~~ Govt or municipal
servants or servants of mercan-
-tile firms in receipt of a sala
ry of more than Rs 15 per mensem,
(or) pensioners who had served
in the above capacity.

As regards the 3d defect ~~[illegible]~~
mentioned above, the Bill contains
ly provisions, good in themselves,
or the dismissal of trustees by
committees but none for the
filling up of the vacancies created
such a removal; nor is
original Act clear on this
point.

point. The absence of such a
will
provision ~~affords~~, as it does,
affords
scope for Committee members to
bestow ~~[illegible]~~ appointments of trustees
on their friends or relations.
Some trustees on any pretence
receive the sole custody of temple
property. More responsibility
attaches to the post of a trustee
than to that of a Committee
member. It will not do to
demand only property qualification
from a trustee. In 1842 trustees
were appointed with the consent of
the people and in accordance
with the income of a devas-
-tanam. These salutary rules
~~[illegible]~~ became extinct with the
close of the Board's jurisdiction.
If they are not embodied in this
Bill it must be deemed that
the posts of Dharmakartas
cannot be satisfactorily filled
up.

As regards the 4th defect
under consideration, the ~~Bill~~
~~makes provision enabling Committee~~
provision in the Bill about
meeting

meeting the expenses of Committees cannot be objected to and is necessary and proper.

As regards the 5th defect the provision in the Bill for the audit of accounts demands careful consideration. If the Committees reserve for themselves the power of appointing auditors, the defects in the accounts will never be brought to light. If the Dt. Court can appoint an auditor after the Committee fails to do it within the appointed time why not allow the Dt. Court to do it at the first instance of its own accord or on ~~the~~ a requisition from the people. What is the difference between ~~the~~ a Committee's servant and an auditor whom it may temporarily appoint. These things considered, the ~~[illegible]~~ good intentions of the Hon. Member in charge of the Bill in preparing this portion of the same cannot be accomplished. The Bill therefore must empower the people to appoint an auditor ~~the Dt. Judge~~ subject to the

the Dt. Judge's confirmation or may empower the Dt. Judge to make the appointment himself. As the Bill provides for the remuneration of the auditor that official must be a certified, experienced or pensioned accountant or vakil or gentleman of such standing.

While s. 14 of Act XX of 1863 allows persons interested in any temple to bring to the notice of the Court the irregularities practised in that temple, why does not the Bill in question allow such persons to examine the accounts when such irregularities are brought to notice. At present the Committee, the Dharmakarta, or their ~~[illegible]~~ servants keep the accounts secretly for themselves and when the world sees them suddenly grow opulent [illegible] their conne[illegible] devastanam [illegible] complain to the [illegible] that evidence to [illegible]

Rich success is without

Eludes

is silently refused them. If
one waits for to gather evidence
— and he has to wait long — from
hearsay and rumour, the temple
officials take care to set the
accounts right by false entries
before a suit is filed. According
to the custom of all temples the
accounts have ~~to be~~ daily to be
read out openly in the presence
of the temple Swami — a cus-
tom which holds good in large
~~temples~~ 'devastanams' to this day.
Rewards are given to the temple
officials who read these daily accounts.
No Committee member or Dharma-
karta can gainsay this fact. While
such is the case they carefully
withhold these accounts when asked
for as if they contained a list of
their own ancestral property and
forget that they are represen-
-tatives of the people. If
the Act had ~~provided~~ remedied this
in fact there would have been no
[illegible]ssity for this Bill and breaches
would never have been known.
people to therefore (the people's right
~~[illegible]~~ with) should not be
this Bill. Further
a

This right
to appt him a
given up in

a visitors' Book should be kept
in each temple. Once in a
month or a year the auditors
above referred to should examine
the same and take steps to
remedy the evils they may notice
after taking an explanation
from the trustees. The public
eagerly hopes that the Hon. Mem-
-ber in charge of the Bill
and other Hon. Members will
consider these suggestions &
in view to their embodiment
in the Bill.

The property referred to in
§ 4 of Act XX of 63 which has
not been considered in the Bill
has now to be noticed.

(1). Mosques, Hindu temples and
colleges in the Districts of the
Madras Presidency.

(2) other religious and useful
endowments.

(3) Bridges, choultries,
chuttrams and other public
buildings.

(4) All charities in the shape
of money or land for the sup-
-port of the above

Eludes

Regulation 12
Under ~~Act~~ VII of 1817 the Board of Revenue was in charge of the property of these Trusts in order that it might carry out Govt's duty of finding out the intentions of the donors and giving effect to the same and of preventing expenditure in other directions. There was not a single class of endowments that escaped this Act. The Board managed all these endowments through its agents the Collectors with the exception of such property as was managed by the donor's heirs or nominees who were however subject to its supervision. In 1862 the former class of endowments were transferred to the management of trustees the Board retaining its ~~supervision~~ right of supervision. Section 7 of Act XX of 63 transferred to newly appointed Committees this ight of supervision exercised by e Board and §14 transferred to ndependent trustees the right management of the second lass of ~~e~~ endowments above referred

referred to without providing for the supervision of such ~~m~~ management. To the latter class belong the 'mutt adinams', certain temples belonging to these mutts, and certain educational institutions and public charities. The trustees in charge of these endowments were originally appointed by the donors who expected efficient management from them. ~~and it he~~ If they had ~~also~~ prepared a list of the property and ~~have~~ taken a muchilika from these trustees mismanagement might have been avoided. But now such charities have been misappropriated and discontinued.

The Gurus are expected to know more than the people as to the sacredness of the above trusts. It is only too well known that these Gurus have in a way changed; and it is unaccountable that they should have escaped the notice

notice of the Hon. member in charge of the Bill. It is therefore requested that this state of affairs may be taken into consideration and steps taken to secure the efficient management of this class of charities.

Tenkasi (Sd) Arudainayagam Pillai
18.7.96.

C.O.
3.8.96.

[G / 9]
2,000-2-4-95.

Current No.

Legislative DEPARTMENT.

LODGED
DATE 7-8-1896

From The Secretary to the Tenkasi Public Library and Reading Room, Tenkasi.

No. -

Dated 19th } July 1896
Received 22nd }
Regd 23rd }
Enclosures 2

SUBJECT.

Submitting copy of a Resolution passed in the meeting held on the 18th July 1896 together with a memorandum of suggestions to the Bill to remove certain defects in Act XX of 1863.

N

Lodged until the next meeting of the Council

7-8-96

All lodged papers of this description relating to this Bill etc. be sent to the

Note Please see endt. on C.Nos 122 & 161.

Public Dept. with office note for

[illegible]

[G. / 25]
500-3-10-96.

C/3-2-97
15-2-97

Legve DEPARTMENT.

C. No

H. E. THE GOVERNOR.
THE HON'BLE MR. BLISS, C.I.E.
THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.

Hindu Religious Endowments Bill of the Hon'ble Kalyanasundaram Aiyar

FOR ORDERS.

LODGED
DATE 13.2.1897

Lodged

CRV
13/2

23
~~23~~
3-3-99

Leave to introduce the bill was granted at the meeting of the 26 February last. The Hon Kalyanasundaram Aiyar has now entrusted the Bill to the Hon V Subbarao & the latter becomes the member in charge of the Bill under Rule 72 of the Council Rules.

The Hon V Subbarao in his present letter requests that a motion for the introduction of the measure may be inserted in the Agenda paper + raises two points viz.

(1) whether the bill falls within the purview of sec 43(5) of Indian Council act 1861

(2) whether the Govt of India has been addressed on the subject, & if so, whether any reply has been received from the Govt.

A.

1
13/3/99

As regards the insertion of the motion for introduction in the Agenda paper, Rule 34 of the Council rules, & Section 5 of the Indian Councils act 1892, which requires the previous Sanction of the Gov-Genl for this bill, do not prevent the introduction of the measure into the Council; tho' under Section 5 of the Act referred to above, the previous Sanction should be obtained before the Bill is passed into law.

S.R.

As regards the question raised by the Hon'ble Member, with reference to Sec 43 (5) of the Indian Councils act 1861, it is submitted that the bill does not in the least interfere with religion or the religious rites & usages of the Hindus.

Not in the least: vide purposes of the Bill recited at the bottom of p. 2 of the Pro. of the Lg. C.× 26/12/96; & the Bill itself. S.R.

×: bottom of file.

With reference to the question whether the Govt of India has been addressed on the subject of the Bill, it ~~is submitted that~~ the further progress of the Bill in question was postponed× in view of the Hindu Religious Endowments Committee's report× in reply to G.O. No. 114/23.10.94 Legve. (which was at the time daily expected); no reference was made to the G. of I.?

×: notes & orders put up for the Hindu Religious Endowments Committee's report now in circ.

× received, & in circulation with papers, in the Public Dept.

Orders are therefore solicited as to whether this ~~business~~ bill may be entered in the Agenda paper as an item of business, & as to the nature of the intimation that should be conveyed to the Hon'ble Member in reply to his letter.

It is however respectfully submitted that if the Hon. Subba Rao, persists in the introduction of the measure at the next meeting, ~~after~~, his motion that the bill be read in Council, which he will have to make under Council Rule 34, should be opposed, in view of the fact that legislation on the subject is under consideration in this Govt & a bill ready for submission to India for approval, & also in view of the fact that the Hon P. Ananda Charlu intends introducing a Bill on the subject in the Imperial Legve Council. (Please see D.O. from the Hon Mr J.D. Rees in the linked file).

This is a mere surmise wh. we cannot act upon S.R.

CRS
3/2

H.E.

The introduction of the Bill must be entered in the Agenda paper as the Hon. Member has given notice to that effect — vide rule 34. But at the meeting he may be asked with reference to the circs. stated in the note above to postpone his motion which he will probably be willing to agree to.

S.R. 3/2/97

Yes.
A.S.H.
5.2.97

[illegible] the Bill

It has been [illegible]

that of the Resolution has [illegible] to the

introduction of the measure [illegible]

[illegible] his notice that the

Bill [illegible] which he [illegible]

[illegible]

H.E.

The introduction of the Bill must be decided in the [illegible] before as the Hon. Member has given notice to that effect — [illegible] But at the [illegible] he may be [illegible] in the [illegible] to postpone his motion which he [illegible]

[G./9] 200—29-7-96.

(1897) Department.

D. O. No. 81

From Hon'ble N Subba Rao

D. O.

V.E

No.

Dated 2nd Feb 97

Received do

Registered do

Enclosures

Spare copies.

SUBJECT.

Drawing attention to sec 43 of the Councils Act of 1861 and leaving to H E. the President to decide whether he is barred in introducing the Bill to remove certain defects in Act XX of 1863 under clause 5 of the said section

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

D.O. No. 81

SECRETARY TO GOVERNMENT LOCAL & MUNICIPAL DEPARTMENT
2 FEB-1897

Madras
2nd February 1897

To
The Secretary to Government
Legislative Department
Fort St George.

Dear Sir,

The Hon Mr K. Kalyana Sundaram Aiyar being ill, has asked me to introduce the Bill to remove certain defects in Act XX of 1863, for which leave was granted by the Council at the meeting held in or about February 1896. I beg therefore to give notice of the

---

TUESDAY EVENING,
MARCH 31, 1896.

rnor of Fort St. George
tions.

3. Notwithstanding anything contained in Act XX of 1863, the Local Government shall have the power of revising, from time to time and in such manner as it deems fit, the rules for election framed under the said Act.

4. The existing members of the Committees appointed under Act XX of 1863 shall in the month of give public notice of a *general* election of members fixing for such election a day which shall be in the fifth week after the date of issue of such notice; and they shall arrange for the said election in accordance with the rules framed under Act XX of 1863, or if such rules have been revised under this Act, under such revised rules.

5. Persons elected under the last preceding section shall become members of the respective Committees to which they have been elected from the first of 189 , and from that date the tenure

ss at Meetings of the Council,
s and Reasons accompanying

the existing members shall
ermine.

s elected under sections 4
Act shall hold office only for

ral election of members shall
e end of every five years in
pecified in section 4.

ovisions of Section 10 of Act
shall apply to cases of vacan-
g unfilled owing to the omis-
Committee to hold a general
vell as to cases of intermediate

rs elected or nominated to
nediate vacancies caused by
death or otherwise shall hold office only for the unexpired portion of the period for which the members, in whose place they are elected, were entitled to hold office.

10. Every Committee shall before the 1st day of December prepare, print, and hang up in its office, a list of persons qualified under the rules framed by Government to vote at the election of Committee members, and in the month of November previous to every succeeding *general* election, revise the said list, and print, and hang up in its office, such revised list.

11. Committees shall have power to dismiss trustees of temples under their jurisdiction (1) for omission to keep accounts or to submit them to the Committees annually or when called for, (2) for dishonest misappropriation of temple

FORT ST. GEORGE GAZETTE
SUPPLEMENT.

TUESDAY EVENING,
MARCH 31, 1896.

Bill to be introduced into the Council of the Governor of Fort St. George for making Laws and Regulations.

Under Rule 32 of the Rules for the conduct of business at Meetings of the Council, the following Bill, together with the Statement of Objects and Reasons accompanying it, is published for general information :—

A Bill to remove certain defects in Act XX of 1863.

Whereas for the more effective management of the endowments of certain institutions to which Act XX of 1863 is applicable, it is desirable to amend that Act in some particulars, it is hereby enacted as follows :—

1. This Act shall be called the Religious Endowments Act Amendment Act — of 1896.

2. This Act shall apply to such Hindu religious endowments in the Presidency of Madras, as are described in Section 3 of Act XX of 1863, and it shall come into force immediately.

3. Notwithstanding anything contained in Act XX of 1863, the Local Government shall have the power of revising, from time to time and in such manner as it deems fit, the rules for election framed under the said Act.

4. The existing members of the Committees appointed under Act XX of 1863 shall in the month of give public notice of a *general* election of members fixing for such election a day which shall be in the fifth week after the date of issue of such notice; and they shall arrange for the said election in accordance with the rules framed under Act XX of 1863, or if such rules have been revised under this Act, under such revised rules.

5. Persons elected under the last preceding section shall become members of the respective Committees to which they have been elected from the first of 189 , and from that date the tenure of office of the existing members shall cease and determine.

6. Members elected under sections 4 and 7 of this Act shall hold office only for five years.

7. A general election of members shall be held at the end of every five years in the manner specified in section 4.

8. The provisions of Section 10 of Act XX of 1863 shall apply to cases of vacancies remaining unfilled owing to the omission of any Committee to hold a general election, as well as to cases of intermediate vacancies.

9. Members elected or nominated to fill up intermediate vacancies caused by death or otherwise shall hold office only for the unexpired portion of the period for which the members, in whose place they are elected, were entitled to hold office.

10. Every Committee shall before the 1st day of December prepare, print, and hang up in its office, a list of persons qualified under the rules framed by Government to vote at the election of Committee members, and in the month of November previous to every succeeding *general* election, revise the said list, and print, and hang up in its office, such revised list.

11. Committees shall have power to dismiss trustees of temples under their jurisdiction (1) for omission to keep accounts or to submit them to the Committees annually or when called for, (2) for dishonest misappropriation of temple funds, or (3) for the mismanagement of temple affairs.

(*a*) Provided that no such order of dismissal shall be passed by any Committee without its having sent in writing to the trustees concerned the details of the charges against them, and given them at least fifteen days' time to answer the said charges.

(*b*) Provided also that the reasons for such dismissal shall be recorded in writing, and a copy thereof sent by post registered to the trustees dismissed.

12. On the election or nomination of members of Committees under this Act, or on the nomination of trustees by such Committees, the retiring or dismissed members of trustees, shall on demand hand over at once to the newly appointed members or trustees all properties and records in their charge belonging to the Committees or temples concerned; and any member or trustee not complying with such demand shall, on application to the Magistrate in charge of the Division in which the office of the Committees or the temples may lie, be forthwith ejected, and dealt with as trespassers under the Indian Penal Code.

13. Every Committee shall have power to collect from the trustees of the temples under its management a sum not exceeding five *per centum* on the gross annual income of such temples, provided that such gross income is not less than Rs. 50 per annum; and every trustee called on to pay any such amount shall be bound to pay the same from the funds of the temple concerned, and any trustee failing to comply with any such demand within three months after the date of such demand shall be liable at the discretion of the Committees to dismissal from office.

14. There shall be an audit every year of the accounts of every Committee and of all the temples under its management. In the month of January every year, every Committee shall for that purpose appoint one or more auditors, not being members of such Committee or trustees under it, and shall issue all orders necessary for the efficient carrying out of such audit. The remuneration in each case shall be fixed by the Committee, but shall not exceed one *per centum* on the annual income of the Committee or temple concerned.

15. If no such auditor be appointed within the time prescribed in the last preceding section, the District Court within whose jurisdiction such Committee is situate shall on its own motion or on the application of any person whatsoever appoint such auditor or auditors and issue the necessary orders.

16. The auditor or auditors appointed as above shall make the audit in accordance with the orders issued, and shall submit a report of the results of the audit to the Committee concerned. The report and the statements, if any, accompanying it, shall be immediately published by the Committee in the Local Gazette.

17. Members of Committees failing to carry out the provisions of sections 14 and 16, and members of Committees and trustees who do not without delay furnish their accounts for audit to the auditor or auditors appointed as above, shall be liable, on that ground alone, to dismissal from office.

STATEMENT OF OBJECTS AND REASONS.

The mismanagement of the Hindu religious endowments in this Presidency is too well known and too generally admitted as a fact to need any statement here. The Bill drawn up in 1893 by the Committee appointed for the purpose by the Local Government, of which the late Sir Justice T. Muttusami Aiyar was President, met with the approval of the Madras Government, but was rejected by the India Government as involving an undue amount of direct interference in temple management from the officers of Government. A fresh Committee has been entrusted with the work of re-casting the Bill so that it may not be open to this objection. But the urgency of the case demands a speedy remedy; and the present Bill is intended to provide such a remedy by removing a few of the most glaring defects in the existing enactment, without any departure from its principles in regard to interference in temple management by Government officers.

The object of this Bill is to remove certain admitted defects in Act XX of 1863, and its operation is expressly confined to such Hindu religious endowments as are under the management of the Committees created by that Act.

The defects demanding immediate consideration are:—(1) the life-long membership of Committee members; (2) the absence of a provision for securing the proper preparation and revision of lists of voters; (3) the powerlessness of Committees to deal effectually with negligent and disobedient trustees, unless it be by a costly and tedious legal procedure; (4) the absence of an express provision enabling Committees to collect money from temples for the maintenance of

their establishments; and (5) the absence of a provision to ensure the maintenance of accounts by the Committees and the scrutiny of the accounts of Committees and of trustees annually.

Section 2 restricts the operation of this enactment to the endowments of such Hindu religious institutions in the Madras Presidency as are described in section 3 of Act XX of 1863.

Section 3 provides for the revision of the rules of election from time to time.

Sections 4 to 9 contain provisions for securing by means of general elections a limitation of the term during which the office of members of Committees is tenable, and also for making Section 10 of Act XX of 1863 applicable to cases of omission on the part of Committees to hold general elections as well as to intermediate vacancies.

Section 10 provides for the preparation and periodical revision of the lists of voters.

Section 11 defines the circumstances under which Committees may dismiss the trustees under them, and defines also the procedure to be adopted in such cases.

Section 12 provides for the effective exercise by the Committees of the power conferred on them by the preceding section by leaving the dismissed trustees to establish their claims in a Civil Court, without requiring the Committees or their nominees to go to the Civil Court to oust the dismissed members or trustees from the possession of trust properties.

Section 13 confers on the Committees the power of collecting 5 *per cent.* from the funds of temples for their expenses—a provision the necessity whereof is obvious.

Sections 14 to 17 provide for an annual audit of the accounts, both of Committees and of trustees, and for the publication of the same in the Local Gazette.

(Signed) K. KALYANASUNDARAM.

7th March 1896.

(By order.)

LIONEL DAVIDSON,
Secretary to the Council.

MADRAS: PRINTED AND PUBLISHED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

Religion

Proceedings of a Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Acts of Parliament, 24 *and* 25 *Victoria, Cap.* 67, *and* 55 *and* 56 *Victoria, Cap.* 14.

The Council met at the Council Chamber in Fort St. George at 11 A.M. on Wednesday the 26th day of February 1896.

PRESENT:

His Excellency the Right Hon'ble the GOVERNOR OF MADRAS G.C.I.E.—*Presiding.*
The Hon'ble Mr. H. W. BLISS, C.I.E.
The Hon'ble Mr. J. GROSE, M.A., C.I.E.
The Hon'ble Mr. J. STURROCK.
The Hon'ble Mr. D. DUNCAN, M.A., D.Sc.
The Hon'ble Mr. J. F. PRICE, C.S.I.
The Hon'ble V. BHASHYAM AIYANGAR, C.I.E., Diwan Bahadur.
The Hon'ble Mr. G. L. CHAMBERS.
The Hon'ble P. RANGAYYA NAYUDU.
The Hon'ble the Rev. W. MILLER, M.A., LL.D., C.I.E.
The Hon'ble C. SANKARAN NAYAR, B.A., B.L.
The Hon'ble N. SUBBA RAO PANTULU, B.A., B.L.
The Hon'ble C. JAMBULINGAM MUDALIYAR, B.A., M.L., Rao Bahadur.
The Hon'ble K. KALYANASUNDARAM AIYAR.
The Hon'ble C. VIJAYARAGHAVACHARIAR, B.A.
The Hon'ble S. SRINIVASA RAGHAVAIYANGAR, B.A., C.I.E., Diwan Bahadur.
The Hon'ble Mr. C. S. CROLE.
The Hon'ble VELLORE MUHAMMAD SHERIFF KHAN BAHADUR.
The Hon'ble Mr. E. GIBSON.
The Hon'ble the ADVOCATE-GENERAL.
The Hon'ble Colonel D. McN. CAMPBELL, R.E.

* * * * *

BILL TO AMEND THE RELIGIOUS ENDOWMENTS ACT XX OF 1863.

The Hon'ble K. KALYANASUNDARAM AIYAR in moving for leave to introduce a Bill to amend the Religious Endowments Act XX of 1863 so far as this Presidency is concerned said:—

"Under Rule 31 of the Rules for the Conduct of Business in this Council, I beg leave to introduce a Bill to amend the Religious Endowments Act XX of 1863, so far as the Hindu religious endowments in this Presidency are concerned. It is needless to prove that Act XX of 1863 has, so far as this Presidency is concerned, failed to secure the purposes for which it was passed. That has for a long time been the conviction of the people of this Province, and the fact has been unhesitatingly accepted by the Local Government. During the last 25 years several efforts have been made to improve the working of the Act, but till now they have all proved futile. Successive Governments of this Presidency have earnestly attempted to effect a satisfactory settlement, but we are now where we were in 1863. The reason of this is obvious. All the efforts made till now have been directed towards securing a thorough reconstruction of Act XX of 1863, and they have nearly always been met with the objection that the measures proposed in substitution of that Act have contravened the principles underlying it. The Bill I beg leave to introduce will, I hope, be not liable to the above objection. In its last order on the subject the Government observed as follows :—'Having regard to the preceding considerations, and particularly to the fact that the Governor-General in Council is unable to agree to the repeal of Act XX of 1863, or to the adoption of any scheme having the appearance of the direct interference on the part of the Executive with religious endowments which was that condemned by that Act, His Excellency in Council regrets that he is unable to accord his sanction to the legislation proposed by the Madras Government. The only legislation which the Government of India could approve would be in the direction of making Act XX of 1863 more effective by remedying admitted defects in it.' It is my belief that the Bill I propose to introduce will, so far as it goes, entirely accord with the views of the Government of India. There is only one point, I believe, on which I have to satisfy this Council. It may be said that the subject matter of this Bill is under the consideration of a committee, and that we may well wait for its report. My answer to this is simple. From the year 1876 one committee or another has been sitting on this subject, and nothing has yet come out of their deliberations. Each of them has tried to produce a comprehensive measure containing a remedy for all the defects in the existing Act, and on an average about five years have been occupied in the disposal of the report of one committee, by the Local and Imperial Governments. The committee now sitting will rightly conceive it to be its duty to frame a Bill on the same lines as those of its predecessors containing provisions for removing all the defects in the existing Act. The whole of the Bill will have to be fully considered by the Local Government and the Government of India, and it may be a long time before sanction could be obtained for the introduction of such a comprehensive measure. These objections will not apply to the Bill proposed by me. It is a small measure dealing only with some of the more prominent defects of the existing enactment. It does not aim at completeness. Certain defects in the existing Act have been long crying for a remedy. This Bill will attempt to remove some of these. I intend that it should avoid all matters of a controversial nature. I shall, of course, most readily welcome a more comprehensive measure, but as it may be long in coming, I desire that some of the abuses, which are unanimously admitted to exist, should at once be removed. In my opinion the more important defects in the existing Act are the following :—(1) The life-long membership of committee members; (2) the absence of a provision to enforce the revision of lists of voters; (3) the powerlessness of committees to deal effectually with negligent and disobedient trustees; (4) the absence of an express provision enabling committees to collect money for their maintenance; and (5) the absence of a provision for the scrutiny and publication of the accounts of the committee and the temples under them. These are all the subjects I propose to deal with in the Bill to be introduced by me. If this Hon'ble Council grant me leave to introduce the Bill I shall, when introducing it, go more fully into its provisions. On the present occasion I do not consider it necessary to say more. The Government presided over by your Lordship has expressed strong and pronounced views on the mismanagement of the Hindu Religious Institutions of this Presidency, and I hope that your Lordship will support my prayer on behalf of the public of this Presidency for the introduction of a measure which will be distinctly a step in advance towards carrying out those views. I beg on these grounds to move that leave may be give me to introduce a Bill to amend Act XX of 1863, so far as this Presidency is concerned.

The Hon'ble N. Subba Rao Pantulu.—I rise to second the motion.

His Excellency the President.—The question is that leave be given.

The motion was put and carried.

* * * * * *

(By order.)

LIONEL DAVIDSON,
Secretary to Council.

MADRAS : PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

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[E. & L. / 1]
500—19-11-98.

L DEPARTMENT.

Papers to be read in Proceedings :—

Again G.O., No. , dated 189 .

Again G.O , No. , dated 189 .

nt No. 54 of 1896, dated , from Hon Kalyana Sundaram Aiyar

" " 91 " 1896, " , " & others.

" " 141 " 1896, " , "

" " 175 &

Notes & petitions received on the Subject of the Hon'ble K. Kalyana Sundaram Aiyar's Religious Endowments Act amending Bill

ORDER. No. 239 3. 3. 99
Mis

Recorded.

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ale
1/3/99

PJJ
28/2/99

A **Note** Please see G.O. 183 Public in 13. 2. 99 which current No. 72 of 1897 has been printed — [Letter from the Hon'ble Kalyana Sundaram Aiyar] & ~~in the arrear list~~.

Current No. 70 of the same year is a telegram on the same subject.

Both the currents which now appear in the ~~may for the present~~ arrear list may ~~therefore~~ be removed from that ~~arrears~~ list.

PJJ
28/2/99

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