

M.R.O. 1-5,000-10-10-50.

- (1) Number of pages 24
(2) Date of repair 4. 8. 54
(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Public

DEPARTMENT

G.O. No.	<u>364</u>	Press
~~B.P. No.~~		~~Mis.~~
Dated	<u>4. 4.</u>	<u>105</u> <u>1888</u>

Original

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
PUBLIC DEPARTMENT.

READ—the following paper:—

G.O., dated 15th March 1888, No. 26, Legislative.

Read—again the following papers:—

G.O., dated 15th April 1887, No. 543, Public.

„ „ 1st June 1887, Nos. 23, 23-A, Legislative.

Read—also the following paper:—

From W. M. YOUNG, Esq., Officiating Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Calcutta, 23rd February 1888, No. 472.

I am directed to acknowledge the receipt of your letter, No. 23, dated the 1st June 1887, forwarding for the consideration of the Government of India a Bill to provide for the better administration of Hindu religious and charitable institutions in the Madras Presidency, and asking for the sanction of His Excellency the Governor-General in Council to introduce the Bill into the Legislative Council.

2. In reply, I am to say that, after a careful consideration of the provisions in the draft Bill submitted, the Governor-General in Council is of opinion that the measure, as at present drafted, is too wide in its application. If, however, legislation is essential for the due protection of Hindu endowments in the Madras Presidency, His Excellency in Council will have no objection to the introduction of a measure of more limited scope and more in harmony with the policy of Act XX of 1863.

3. Such a modified measure might provide for the revival of managing committees (which it is understood have almost become extinct in Madras). Such committees need not, in the opinion of the Government of India, be district committees, but might be so constituted that each should represent a uniform class of institutions in a district. The Bill might set forth fully the powers conferred and duties imposed under the old Regulations which are transferred by Act XX of 1863 to committees, and might impose upon committees the duty of instituting suits for misfeasance on the part of trustees, and might empower the Courts to charge costs in the first instance to the institution concerned subject to the proviso that the Court should have power to order otherwise in any case in which a suit turns out to be vexatious.

4. A Bill of the nature just suggested would be in keeping with the accepted policy of Government in this matter, and would, it seems probable to the Governor-General in Council, go far to meet the requirements of the Madras Presidency. I am to request that, should the Governor in Council concur in these views, the Bill proposed may in due course be submitted for the consideration of the Government of India.

Govt. of 1888 Madras.
PUBLIC.

Issued

Recd.

Encl.

G O., 4th April 1888, No. 364.

APRIL.

**Hindu Religious and Charitable
Institutions.**

Passing orders on Government of India letter
and appointing a fresh committee to consider how
the existing law regarding the administration
of — may best be amended.

[25]



Legislative Department.

CURRI N 1120

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read-again of G O. 4th April 1887 No 543 Public
and G O. dated 18th June 1887, No 23, 23 A Legv.
READ the following paper.

Read the following paper:-

From the Govt of India, Home Dept No 472
dated 23rd July 1888.

Order / dated 15th March 1888, No. 26.

Ordered that the foregoing ~~paper~~ ^{letter} should
be transferred to the Public Department
with original notes recorded by the
Honourable members, for the necessary
action.

Tr. Extract

Sd/-
Ag. Under Secretary.

To the Public Department the Original Notes by H. member
(to be returned)

12/17 March 1888

Public. 1888, Dec 1

The Legislative Dept.

Current number 2 P 10
No. 27

FROM H. H. Ganga, Esquire,

Offg. Secretary to the Government of India.

To

The Chief Secretary to the
Government of Madras.

Calcutta the 1st January 1888.

SIR,

I am directed to acknowledge the receipt of your letter of the 28th dated the 1st June 1887, forwarding for the consideration of the Government of India a Bill to provide for the better administration of Hindu Religious and Charitable Institutions in the Madras Presidency, and a request for the sanction of His Excellency the Governor General in Council to introduce the Bill into the Legislative Council.

2. In reply I am to say that, after a careful consideration of the provisions of the draft Bill submitted, the Governor General in Council is of opinion that the measure as at present drafted is too wide in its application. It however is essential for the due protection of Hindu Endowments in the Madras Presidency, His Excellency in Council will have no objection to the

Public. 1888, Dec.

The Legislative Dept.

Current number 20
No. 27
1177

FROM W. M. Ganga, Esquire,

Offg. Secretary to the Government of India.

TO

The Chief Secretary to the
Government of Madras

Calcutta the 27th January 1889.

SIR,

I am directed to acknowledge the receipt of your letter of the 23rd dated the 1st June 1884, forwarding for the consideration of the Government of India, a Bill to provide for the better administration of Hindu Religion and Charitable Institutions in the Madras Presidency, and a request for the sanction of His Excellency the Governor General in Council to introduce the Bill into the Legislative Council.

2. In reply I am to say that, after a careful consideration of the provisions in the draft Bill submitted, the Governor General in Council is of opinion that the measure as at present drafted is too wide in its application. If however legislation is essential for the due protection of Hindu Institutions in the Madras Presidency, His Excellency in Council will have no objection to the

the introduction of a measure of more limited scope and more in harmony with the policy of Act XX of 1863.

3. Such a modified measure might provide for the revival of managing committees (which it is understood have almost become extinct in affairs). Such committees need not in the opinion of the Government of India be district committees, but might be constituted that each should represent an uniform class of institutions in a district. The Bill might set forth ~~but~~ the powers conferred and duties imposed under the old Regulation which are transferred by Act XX of 1863 to committees, and might impose upon committees the duty of instituting suits for misfeasance on the part of Trustees and might empower the courts to charge costs in the first instance to the institution concerned subject to the proviso that the court should have power to ~~order otherwise~~ in any case in which a suit turns out to be vexatious.

4. A Bill of the nature just suggested would be in keeping with the accepted policy of

Government,

38
Government in this matter and would, it seems probable, be the Government General in Council go far to meet the requirements of the Affairs of India. I am to request that should the Government in Council assent to these views, the Bill proposed may in due season be submitted for the consideration of the Government of India.

I have the honor to be,

Yours most obedient servant,

A. M. Young
Offs Secy to the Govt of India

D

Current No.

Legislative
Current no 27

From

The Offg Secy to the
Govt of India

No. 472

Dated 23rd Feb. 1888

Received 2^{8th} Feb. 1888

Enclosures

SUBJECT.

Modifying the provisions
of the Hindu Religious
Endowments Bill.

Leg^l DEPARTMENT.

C No. 27

From

the off^g Secy to the Govt of India, Home Dept, no.
472, dated 23rd Feb 1888.

FOR ORDERS.

we may accept the decision that
the proposed measure was too wide
in its application. I am inclined to
think it right.

I have no doubt however that
some legislation is necessary & open
to the proposal to refer the matter
back to the old Committee, or to
constitute a new Committee, to consider
how the existing law may be amended
as to remedy its material defects.
I do not consider it by any means probable that Committee
this fact has been considered? that Committee
formed under the Act need necessarily
be the Committee. In Madras, e.g.
one was formed for the great Hindu
temples alone & the smaller temples
were similarly treated. That however
was not a happy arrangement - ~~it~~
was not a happy arrangement - ~~it~~
at all events not for the smaller temples.
I should have preferred a single Committee
at Madras for the direct charge of the
temples & to control the minor ones
of all events those of the same class.
I introduced some improvement by inserting
in the publication of acts & regulations
a temple committee. It is not, I
think, a fact that managing Committee
have fallen into abeyance & need revision.
It is certainly not in Madras & I
do not think the Committee.

In new Committee I certainly include
S. Subramanyam Iyer who has been practical
experience. as a member of the Madras Committee
for many years. Chetanal Row I also include &
a few others.

It would seem advisable to appoint
a fresh Committee consisting of
2 or 3 members, who might prepare
a bill & have it ready against
the return of Feb. from the States.
I submit that the smaller
the Committee is the better.
Chetanal Row, Subramanyam
Iyer, Ponnusami Pillai & Sankar
Nair would seem suitable persons.
All except Subramanyam Iyer were
on the former Committee, but
this is perhaps rather an ob-
jection than otherwise.

It is certainly not in Madras & I
do not think the Committee.

now is taken by Govt
the
rule

Bhaskar P. & Sankar Kari
representative Sadras.
Bhaskar Arjuna might be
added as we must have a
Vaisnava Brahmin. That
we form a 'Panchayat' - a very
good working committee - but
I'd desire them to select
consult with me or more
corresponding members in every
important district, as it is very
probably that diff. will require
different treatment. They should
consider & report how far the
rules made under the Act require
amendment.

PPH
10 March

I believe Bhaskar is a Vaidyalay
man. If so perhaps the Vaidyalay
sect should be represented & to make
an uneven number. Rangamatha
Mundaly might be added, making
4 Brahmins & 3 Sadras.

I agree as to the
constitution of the pro-
posed Committee. It
seems desirable that
any proposals they
make should be published
for general information
criticism before any

From order in Council
Hon. J. N. M. M. M.
He is also to be on the
Committee.

Amidst Religious Institutions.

FOR ORDERS.

Circ

in D. B. 120/30

C. 7/3/
R. 13/3.

From

The Legislative Dept.
1026.

Dated 15th March 1888
Received 17th)
Enclosures 2.

SUBJECT.

Transferring
for the necessary action
letter from the Govt. of India
with original notes appended
by the Honble Member
regarding the Hindu Marriage
Bill.

Papers to be read in Proceedings:—

Again G.O., dated

188 , No.

Again G.O., dated

188 , No.

Current No.

of 188 , dated

from

Current No. 1120 of 1888, dated 15th March from the Legislative

Order -
G.O. 4 April 1888

His Excellency

Council, in view of the
opinion expressed by the
Govt. of India, that the
draft Bill submitted
is too wide in its application
resolves to request that

Honble Mr. Justice Mulla.
S. Subramanyam Aiyangar.

" S. Subramanyam Aiyangar
Rai Bahadur

P. Chandra Sekharaiah
M.R. R. V. Ponnuswami Pillai

b. Sankara Aiyangar
V. Bashiyam Aiyangar

Rudra Aiyangar
Aiyangar J. Rai Bahadur

the gentlemen named
the margin will form
themselves into a Com-
mittee for the purpose
of considering how best
the existing law in

in regard to
Residency ~~to provide for the~~
administration of Hindu
Religions and Charitable

Institutions may be best
served ~~on the office work~~
by the ~~by the part of the~~
material defect

23 H. E. in C. is ~~not~~
that ~~as assumed by the~~
in assuming that
of managing Com.
matters have fallen into

disarray in this Presidency
which ~~is not~~ ~~is not~~
consider that Committee
under the Act needs
necessarily be distinct -

Committee ~~is not~~
probable that different
districts will require diffe-
rent treatment in respect
of their religious endowments

Committee will be
requested to select and
submit one or more re-
presentative members of
Brahmins and Sudras

to embody the result of their
deliberations in a new draft
bill. They will also consider
proposals for the rules framed
under Act of 1863 require
alteration.

Such Committee exist
but the general complaint
is that, owing to the defective
state of the law, they are
powerless for good

should be allowed
the fullest opportunity for
expressing their views

caste in every important
district. They will also
consider and report how far
the rules made under
Act of 1863 require
amendment.

(Remond)
L. S. S. S.

The members of the Committee
L. S. S. S.

12/14
L. S. S. S.

The report of the Committee appd.
in J. O. 5th Feb. 1887. No. 58
is recorded in J. O. 15 April
1887. No. 543. Pub. Draft add
with draft bill was placed
at the disposal of the

referred to

Pub. Dep.

Below are edited letters
- Cur. No. 27. Sep. and letter
to think it is a reply, and
also to be placed on
the Editor's Table.

Fresh Committee for the
Hindu Religious and
Charitable Endowments.

Wm. W. W.

26/23. in 90 4 April 1885 no 314 Pub.

C. 28/3
R 3/4

12.12.10.

ORDINARY, PRINTED.

Public DEPARTMENT.
G.O. DATED *4 April/88*
No. *364*

First copy sent to Press.

6/4

Returned for signature.

12.4.88.

Despatched in print.



[Despatch Abstract.]

Hindu Religious & Charitable
Institutions. Passing orders
on G.O. letter appointing a
fresh Committee to consider how
the existing law regarding the
adm- of — may best
be amended.