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[Despatch Abstract.]

The Madras Hindu Temples Bill. — Directing that the thanks of Government conveyed to the President and Members of the Hindu Religious Endowments Committee for their report, and directing that the Bill be referred to the Advocate-General, the High Court and the Board of Revenue for favour of early remarks.

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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MADRAS, 16th January 1893.

FROM

THE HINDU RELIGIOUS ENDOWMENTS COMMITTEE,

TO

THE CHIEF SECRETARY TO THE GOVERNMENT OF MADRAS.

SIR,

In accordance with the instructions conveyed in G.O., 4th April 1888, No. 364, Public, we have the honour to submit our report on the changes in the existing law that we consider necessary for the better administration of Hindu religious endowments in this Presidency. A draft Bill on the subject accompanies the report.

2. After a careful study of the papers referred to us for consideration and a full discussion at several meetings of the committee of the defects to be remedied and the remedies to be adopted, we prepared a draft Bill. This draft Bill was communicated for expression of opinion to selected representative men and bodies in the several districts of the Presidency. Replies were received from most of the individuals and bodies to whom the draft Bill had been sent, and suggestions and criticisms were received also from others to whom no reference had been made. These replies have been tabulated in a statement annexed to this report. The objections raised and the modifications suggested in these communications have been duly considered by us, and the revised draft Bill now submitted embodies such of the alterations as appeared to us to be worthy of adoption.

3. Our explanatory remarks on the several sections of the draft Bill proposed by us may be advantageously introduced by a brief sketch of the state of things in regard to temple management under Hindu, Muhammadan and British rule. Under Hindu rule, the rajahs exercised through their officers real and direct control over all religious institutions and endowments. The supervision of temple management was and is recognised in every Native State to be one of the essential functions of government. As instances in point, the Native States of Mysore, Travancore and Cochin may be mentioned. The native rajahs were deeply interested in the well-being and advancement of Hindu religious institutions. Many of these institutions had been founded and endowed by their ancestors, and most, if not all, of them continued to receive periodically pecuniary contributions from the State. Even under Muhammadan rule, this duty of the State was not completely ignored. Except during periods when religious intolerance was at its worst, the Muhammadan rulers of India considered it expedient to make some provision against the deterioration or decay of Hindu temples by neglect or peculation, and in some instances even added to their endowments. Under British rule, there was for many years no enactment or regulation bearing on the management of Hindu temples. The Collectors exercised practically absolute control over all classes of temples. Regulation VII of 1817 had the obvious intention and effect of continuing and maintaining the policy that had been in vogue under Hindu and Muhammadan rulers. Not only was there a distinct recognition of the principle that it was a duty incumbent on Government to keep a strict watch over religious trusts and endowments, but practical effect was given to this principle by the exercise of efficient and stringent control over the management of Hindu temples through the instrumentality of the revenue officers of the State. From 1817 to 1842, there was general satisfaction that Hindu temples were being properly managed, and that the danger of temple funds being misappropriated by the managers had been reduced to a minimum. The supervision exercised by Government over the management of Hindu temples during the period referred to was one of the many acts by which Government endeared itself to the hearts of its native subjects. This system of active supervision continued till 1839. Between the years 1839 and 1842, Government severed its connection with the management of Hindu temples. This change of policy led to the withdrawal of that control which had till then worked

with such beneficial results. Between the years 1842 and 1863, no supervision of any kind was exercised over the management of Hindu temples, though Regulation VII of 1817 still remained in force. In many cases in which the management had previously been in the hands of hereditary trustees, the temples were made over to them and left to be dealt with by them without supervision. In cases in which the management had not previously been in the hands of hereditary trustees, new trustees were appointed by the Board of Revenue under the orders of Government, and, in a few instances, the sannad of appointment of trustee also contained a provision for regulating the course of succession to the office. The inevitable result of this relinquishment of control was that trustees were under strong temptations to embezzle temple funds, as the check provided by the general law in the absence of an active supervising agency was utterly inadequate to meet the exigencies of the case; that religious institutions, with large revenues were often dealt with by the trustees without a due sense of responsibility; and that mismanagement prevailed without check or restraint and misappropriation of temple funds became a thing of frequent occurrence. The evil grew from bad to worse until it came to a head about the close of the period under review.

4. The necessity for providing a supervising agency being recognised and felt, Regulation VII of 1817 was repealed and Act XX of 1863 was passed. By this Act, local committees were appointed to exercise the powers of supervision vested in the Board of Revenue under Regulation VII of 1817, but their jurisdiction was limited to temples the nomination of the trustees of which vested in Government or was subject to the confirmation of Government or of a public officer. Other temples which under Regulation VII of 1817 had been subject to the supervision of the Board of Revenue continued to remain, even after the passing of Act XX of 1863, in the unsatisfactory state in which they had been between the years 1842 and 1863. It is generally considered to be a serious defect in Act XX of 1863 that, while it carried out the policy of severing the connection of Government with the management of Hindu temples, it made no provision for the exercise of any supervision over an important and large class of temples described in section 3 of that Act, notwithstanding that the subjection of such temples to the control of local committees was in no way incompatible with the policy of such severance. Another prominent defect was that the Act did not expressly extend the jurisdiction of local committees to temples of which the trustees, though not originally hereditary, became hereditary between the years 1842 and 1863, and that such trustees were treated as though their temples had been under the management of hereditary trustees from the very commencement. Other defects which have impaired the efficiency of the Act are—(i) that although temple committees succeeded to the powers and functions of the Board of Revenue, yet these powers and functions were not defined with sufficient clearness and precision; (ii) that they were not enabled to command funds for maintaining an office establishment and conducting a periodical audit of accounts; (iii) that they had no power to enforce obedience to their orders except by the tardy and cumbrous process of a regular suit, nor was provision made enabling them to obtain funds for conducting or defending suits connected with the temples under their jurisdiction; (iv) that committee members appointed under the Act held office for life and could only be removed for misconduct by a regular suit; and (v) that the provisions contained in the Act for the due and regular performance of the duty entrusted to committees of preparing registers of voters and of conducting elections of committee members were utterly inadequate. Before the Act had been in operation for seven years, it was considered by the native community at large to have utterly failed to check the evils and abuses that had been growing in magnitude since 1842. The late V. Ramiengar, then a member of the Legislative Council, brought the matter to the notice of Government and submitted a draft Bill embodying suggestions as to how some of the defects might be remedied. This draft Bill was circulated and opinions were invited from public bodies, revenue and judicial officers in the service of Government and leading members of the Hindu community. There was a consensus of opinion as to the urgent necessity of amending Act XX of 1863, but the provisions of the draft Bill framed by Ramiengar were generally considered to be inadequate. The Board of Revenue was of opinion that, "though it would be an improvement on the existing law, it was radically incomplete and would certainly fail to attain its object." Government concurred in this view, and appointed in the

year 1876 a committee, with Sir William Robinson as President, to draw up a fresh Bill. This committee submitted its report with a draft Bill in 1878. The main features of this Bill were the establishment of a Central Board with paid members and the extension of control over temples of all classes. This Bill was forwarded in due course to the Government of India and to the Secretary of State for India. The Secretary of State, in his despatch, No. 127, dated 27th May 1880, wrote to the effect that he had no objection to the introduction of the Bill into the local Legislative Council, but that, as the subject was one of general importance, it should not be passed into law until he had had an opportunity of obtaining the opinion of the Government of India. The Government of India, however, in their letter to the Government of Madras, No. 475, dated 9th March 1880, said that they were of opinion that "it was not desirable to proceed with this legislation during the next few months," and the Government of Madras, in deference to the wishes of the Government of India, resolved to take no further action in the matter. The subject was next taken up by Mr. Carmichael, Member of Council, who, on the eve of his retirement in December 1883, drew up a Bill different in many essential respects from the Bill of 1878. This Bill aimed at the substitution of District Boards, constituted under the Local Boards Act, in the place of the Central Board in the Town of Madras, and at the exemption from all control of religious endowments under the management of hereditary trustees. In February 1884, a new committee was appointed by the local Government "to consider and report upon the matter, in connection with the draft Bills already before Government." This committee, presided over by Mr. H. E. Sullivan, Member of Council, sent in its report in March 1886, with a new draft Bill, which was in favour of the scheme of a salaried Central Board in Madras, and which endeavoured to secure the benefit of local agency by the establishment of District Committees. According to the Bill of 1878, the members of the Central Board were to be nominated by the Governor in Council. This was considered to be open to objection on the ground of its bringing Government into close connection with the management of religious institutions. The Bill of 1886 suggested that the members of the Central Board should be appointed by the High Court in the exercise of its administrative power. In their letter, No. 472, dated 23rd February 1888, the Government of India observed that this Bill was "too wide in its application," and suggested "the introduction of a measure of a more limited scope and more in harmony with the policy of Act XX of 1863." The present committee was constituted under G.O., No. 364, dated 4th April 1888, for considering how the existing law may be best amended on the lines laid down by the Government of India and for embodying the results of its deliberations in a new draft Bill.

5. *Legislation essential.*—The main defects and shortcomings of Act XX of 1863 have been already pointed out. The present draft Bill is the fifth of its kind. Committees appointed by Government in the years 1876 and 1884 emphatically recognised the necessity for altering the existing law. The local Government, in a letter to the Government of India, dated 31st January 1872, wrote that "this Government are sensible of the necessity of legislation in the matter of native religious and charitable endowments." The Board of Revenue, in their Proceedings, No. 1861, dated 18th July 1874, summed up the result of their extended inquiries in the following words: "It is beyond the possibility of doubt that if Hindu religious endowments are to be protected from wholesale misappropriation and, in many cases, ultimate extinction, for the benefit of a class of persons who make the worst possible use of the money, wasting it in profligate expenditure, the existing law must be altered." The Government of India, in a letter to the Government of Madras, dated 29th February 1876, admitted that "Act XX of 1863 has failed to prevent malversation of the endowments dealt with under its provisions, and that fresh legislation in the matter is necessary." The Secretary of State for India, in his despatch, No. 127, dated 27th May 1880, said of the Bill submitted by the committee presided over by Sir William Robinson, that he had no objection to its introduction. The feeling of dissatisfaction with the existing state of things has been increasing year after year to such an extent as to render legislation on the subject a matter of grave urgency. Act XX of 1863 is brief and does not sufficiently define the powers and duties of trustees and of members of committee. It does not contain several provisions necessary for ensuring a satisfactory working of the Act. Although the Bill we propose is in harmony with the policy of Act XX of 1863 in the matter of making Government have no direct or active concern in the management of Hindu temples, yet the changes

that we consider necessary are so many, so varied and so substantial in character that we think it highly desirable to recommend that Act XX of 1863 should, so far as it relates to Hindu temples in this Presidency, be repealed, and that a fresh Act complete in itself, should take its place.

6. *Scope of the proposed legislation.*—It must be clear from the foregoing remarks that the necessity for amending the existing law is admitted on all hands. The only important point on which there is any difference of opinion is whether the new legislation should only apply to such institutions as fall under the operation of Act XX of 1863, or whether it should be of a wider scope so as to bring under control also those temples which are managed by hereditary trustees and which are in consequence exempt from the control of committees under Section IV of the Act. Leaving out the parties interested in the direct management of the temples, there is a very large mass of opinion strongly in favour of placing even hereditary trustees under the control of committees, and of making no distinction between hereditary trustees and elected trustees. But the zemindars in the Presidency, who are hereditary trustees of temples in their estates, strongly object to their being placed under the control of committees, and they consider that to be placed under such control would be highly derogatory to their position. They also assert, no doubt with some truth, that though they were nominally under the control of the Board of Revenue when Regulation VII of 1817 was in force, they were practically in no way interfered with. We have, after a careful consideration of the objections raised, arrived at the conclusion that while it is not desirable to grant absolute exemption from control to temples managed by zemindars or other hereditary trustees, some difference might be made in the extent and nature of the supervision to be exercised over such temples. We have accordingly provided in the Bill that Sections 46, 67, 69, 71, 72 and 93, which authorize the committee to examine the cash balance and all other property in the possession of the trustees, to call for accounts or such other information as the committee may deem it necessary to require, to enforce compliance with an order issued by the committee, to remove the trustee for misconduct and to regulate the scale of expenditure, shall not apply to hereditary trustees. The only control which the committee can exercise under the proposed Bill over temples managed by hereditary trustees is to insist upon the trustees keeping regular accounts and to get them audited once a year. If the accounts are not properly kept, or the audit of the accounts discloses any irregularities, the committees are authorised to redress the wrong only by a suit in a Civil Court. We feel convinced that the limited control we have suggested, while it can in no way interfere with the internal management of temples by hereditary trustees, or diminish the prestige enjoyed by them, is a sufficient check against malversation or improper expenditure. We have arrived at this conclusion not because we think there have been no instances of malversation or laxity of management in the case of temples under the management of hereditary trustees, nor because we think that they are in principle entitled to any concession, but because we know that temples of this kind often receive periodically voluntary contributions of money from the rajah or zemindar under whose management they happen to be, and that it is not desirable in the interests of the temples themselves to weaken or destroy such motives by alienating their sympathies. This reason may not be applicable in the same degree to the temples under the management of hereditary trustees other than zemindars, but we have not thought it proper to make any distinction between hereditary trustees of one and the same description simply on the ground of wealth or status, and we have, therefore, placed all hereditary trustees in one and the same category.

It must, however, be here observed that the hereditary trustees to whom the limited control is to apply are only those whose office had been hereditary before the year 1842 when Government began to sever their connection with the management of Hindu temples, or those who have been made hereditary by their founders since 1842. The limited control described in the preceding paragraph is not intended to apply to those temples which were under the direct management of Government or to trustees whose appointment was subject to the confirmation of Government prior to 1842, though hereditary trustees have been appointed by Government for some of them since that date. In the cases in which Government have, subsequent to the abandonment of their control, appointed hereditary trustees, the succession will, as provided for in Section 100 A, remain hereditary, but in all other respects such temples and trustees

will be under the full control of the committees. Many temples, as the famous temple of Tirupati for instance, which were under the direct management of Government prior to 1842, escaped coming under the jurisdiction of the committees appointed under Act XX of 1863 owing to the defective wording of the Act, and we feel it to be our duty to point out the error and to urge upon the legislature the necessity for its being rectified. We need scarcely add that this defect has given rise to great dissatisfaction, and is the main ground on which the demand for the amendment of the existing Act is based.

7. *The exclusion of Matams.*—One way in which we have endeavoured to limit the scope and application of the proposed Act is by placing matams outside the field of its operations. It may be stated here that matams were to a greater or less extent brought under control by the Bills of 1878 and 1886. The considerations that weighed with us in proposing the exclusion of matams from the operation of the Act are—

(1) That matams are institutions primarily and specially designed for imparting spiritual instruction, not places of public worship in their essential character.

(2) That Regulation VII of 1817 was not applied to them, nor was Act XX of 1863.

Disciples who receive spiritual instruction are the persons directly interested in the welfare of these matams. Such disciples constitute bodies of different sects, and to them belongs the right, as far as such right exists, of securing a proper administration of the funds of the matam. The extent to which a matadhipati can be held to hold in trust the funds of the matam and his amenability to render an account of his stewardship of such funds are points involved in doubt and difficulty. Though the committee is far from being convinced that the manner in which matam funds are administered is such as to render check and supervision unnecessary, it is still strongly of opinion that the wisest policy is to leave each sect to take care of its own matams. It seems undesirable to subject matams to the control and scrutiny of committees of a general character, with no special sectarian leanings and no motive to pay the heads of matams that deference which their position of high priests makes them feel they are entitled to. If the spiritual head of a matam should be found guilty of malversation, it would be thought a grave abuse of power for any secular committee such as those to be appointed under the proposed Bill, to remove them from office, as their continuance or removal depends upon the wishes of the votaries of the matam, who are almost always disposed to overlook all shortcomings and lapses on the part of their guru or high priest. Though some from whom we have received replies to our circular are emphatic in their denunciation of the general character of the financial administration of matadhipatis and pressing in their demand for putting matams on a par with temples, yet the preponderance of opinion is strongly in favour of the exclusion of matams as such. It is hardly necessary to add that, if the head of a matam is also the trustee or manager of a temple, he is, as such trustee or manager, made subject to the proposed Bill so far as the administration of such temple and its endowments is concerned.

8. *The exclusion of Private Temples.*—Private temples are not placed within the scope of the proposed Act. According to the definition given in the draft Bill, a temple is a place of religious worship "dedicated to or used as of right by the Hindu community or any section thereof." It cannot be held that private temples have been dedicated publicly and formally to the Hindu community or even any section thereof. They are places of worship for the use of particular families, and this, their essential character, is in no way altered even though persons not belonging to these particular families may be permitted to worship in them. Neither Regulation VII of 1817 nor Act XX of 1863 takes cognisance of private temples. We have no reason to doubt that, with a careful local inquiry, it can be ascertained whether a temple is dedicated to the public or not. That there are such private temples is a matter that admits of no doubt, and we have thought it improper to recommend that private temples should be brought under control for the reason that practical difficulties may crop up in distinguishing private from public temples.

9. *The exclusion of temples with an aggregate income of less than Rs. 250.*—The scope of the Act has been further limited by the exclusion of temples, the gross income of which from all sources including kattalais is on an average below Rs. 250 per annum. They

are for the most part village temples. A great majority of them have little or nothing in the shape of a permanent endowment. They are maintained chiefly from voluntary contributions either in kind or in money from the people of the village who are the chief, if not the only, worshippers at these temples and who are directly interested in seeing that the gifts made are properly utilised. The leading men of the village form practically a committee for the management of such temples. Temples of this class are so numerous and the chances of mismanagement in them so slender that it is best to exclude them. The control of an outside body like the committees constituted under the Act would either be inoperative or unnecessary. All the safeguard necessary in their case is sufficiently provided for by making Sections 94 to 99 apply to them.

10. *The District of Malabar.*—As regards Malabar, though Regulation VII of 1817 did apply to the public temples in this district, yet it appears that Government did not, during the whole of the period between 1817 and 1842, interfere in any way with the management of these temples; and, in perfect harmony with this policy of non-interference, no committees were established in this district under Act XX of 1863. Many of the temples in this district are claimed by the rajahs or uralans to be private temples, and, if such claims are valid, these temples, according to our definition of the word temple, lie outside the scope of the Act. All the other temples, i.e., all such as are not claimed to be private temples, fall within the category of public temples managed by hereditary trustees. In the case of these temples, there is a clear necessity for providing safeguards against abuse of trust, and there is no valid ground for drawing a distinction between them and other temples of the same class in other districts of the Presidency. As temples managed by hereditary trustees, they will be subject only to the limited control of committees.

11. *The inclusion of Kattalais.*—Kattalais founded by private individuals for service in public temples are made to fall within the definition of "temple" by the words "it shall also include endowments founded for the support of such place of worship or for the performance of any service or charity connected therewith." Such kattalais are in reality endowments of the temple though they may be dedicated for special services. These kattalais are not generally under the management of temple trustees; and though in this point of view, it may appear expedient to put them outside the sphere of operation of the proposed Act, yet their permanent connection with the temple, their dedication to a specific purpose and their liability to be absorbed into private property or to be diverted to purposes widely different from religious service in a temple, have inclined us to extend the definition of temples so as to include kattalais. It may be remarked that kattalais fell within the scope of Act XX of 1863, though they were not made subject to the jurisdiction of committees.

12. *The abandonment of the plan of a Central Committee.*—The Bills of 1878 and 1886 agreed in the essential respect of recommending a paid Central Board. The main arguments urged in favour of a paid Central Board were (i) that a Central Board in Madras would be able to exercise authority and control far more effectively than small local boards, and that such a Board would command something like the prestige that belonged to the Board of Revenue; (ii) that paid members of the Central Board would be actuated by a far livelier sense of duty and responsibility than unpaid members of local boards whose interest in the supervision of temples was largely determined by personal likings and dislikes; and (iii) that the expenditure of a portion of the temple funds for the purpose of securing efficient and honest control and administration and thereby saving those funds from misappropriation and reckless waste was considered to be open to no objection. On the other hand it was held that centralisation of authority would be prejudicial to the growth of a capacity of local self-Government; that the large salaries paid to the members of the Central Board would be a heavy tax on temple funds; and that the appointment of a Central Board would introduce an elaborate and complex machinery and lead, in course of time, to a harassing amount of interference with local agencies. Although we are strongly of opinion that a Central Board would most effectively remedy the evils that exist, yet in accordance with the instructions of the Government of India, we have avoided proposing a Central Board.

13. *Existing Committees.*—Nearly all the committees established under Act XX of 1863 are still in existence, though there are many instances in which vacancies in the committee have not been filled up. It seems to us very undesirable that all such

committees should be at once dissolved and fresh committees established in their stead. It is, therefore, provided in Sections 25 and 26 that committees established under Act XX of 1863 shall be treated as committees constituted under the proposed Act. By Section 28 of the draft Bill, in cases in which existing committees are appointed for local areas, they will under the Act acquire jurisdiction over hereditary trustees. It will, however, be necessary to establish new committees in respect of some of the hereditary trustees whom it is proposed to place under the jurisdiction of committees to the limited extent already explained, if the temples under the management of such trustees are not included within the local areas over which existing committees exercise jurisdiction. The District Judge is empowered under Section 4 to change the jurisdiction of committees by withdrawing temples whose gross income is not less than Rs. 5,000 per annum for the purpose of placing them under the supervision of special committees, and by transferring a temple from the superintendence of one committee to that of another.

14. *Denominational Committees.*—We have carefully considered whether it would be feasible to constitute committees in such a way as to make them represent an uniform class of temples in a district, and we have also paid due attention to the representations received from some quarters that such committees are desirable. In several districts of the Presidency, denominational committees do not exist and have never existed. Temples of all denominations have been under the control of general committees, and there is nothing in evidence to show that this circumstance has caused dissatisfaction or has been made the ground of complaint. Having regard to the fact that, owing to the existence of many different sects, a corresponding number of denominational committees will be required, and attaching its due weight to the consideration that these committees are only supervising bodies, we have come to the conclusion that it is neither practicable nor necessary to substitute the system of denominational committees in the place of the existing system.

15. *Committee Members to be half elected and the other half nominated.*—Under the existing law, members of committee were originally appointed by Government but vacancies by death, removal or resignation had to be filled up by election. In many cases vacancies have not been so filled up, and the system of election has not worked so satisfactorily as might be desired. This state of things is due in the main to the fact that the duty of preparing voters-lists and conducting elections devolved under Act XX of 1863 on the committees, and that committees have not, as required by law, published revised lists of voters from time to time. The draft Bill provides against the recurrence of these evils. In the replies received to our circular, there is a consensus of opinion in favour of combining the system of nomination with that of election. This suggestion seems to be worthy of adoption as it will be useful in preventing the undue preponderance of members of a particular sect or denomination and in securing a due representation of minorities. It is, therefore, provided in Section 5 of the draft Bill that the members of committee shall be one half elected and the other half nominated.

16. *Period of Tenure of Office by Members of Committee.*—Another important change embodied in the draft Bill relates to the period for which members of committee are to hold office. Under Act XX of 1863, committee members hold office for life. The general opinion is that the apathy and neglect shown by some of the committee members are attributable to this circumstance. On no question is there a stronger agreement of opinion than on the evils of making members of committee hold office for life. There can be no doubt as to the desirability of providing for the displacement of an inefficient or dishonest member of committee by a process simpler and less costly and harassing than the tardy process of a law suit. With this end in view, it is proposed to make members of committee hold office for a term of five years only. The out-going member may get into the committee again by election or nomination, but unless he has secured the confidence of the voters he is not likely to be re-elected or nominated. It is necessary that voters should thus be given an opportunity of displacing a committee member who has lost their confidence or who has shown no interest in the work, and of putting into his place a more trustworthy and zealous person. Such periodical election will act as a powerful incentive to zealous and efficient conduct on the part of committee members. It has been suggested to us that the members of existing committees should vacate office on the coming into

operation of the proposed Act. This suggestion has not commended itself to us. We propose, however, that members of existing committees shall continue in office only for five years after the Act comes into force, being the period for which under the proposed Act a member of committee is to hold office. Whilst on this subject, we must note that the power of nomination is vested in the District Judge. It is obvious that so responsible and important a function as this cannot be fittingly discharged by any officer of a position inferior to the District Judge in whom, we may add, is vested under the existing law the power of nominating members to vacancies not filled up by election.

17. *Temple Committee Members List and Temple Committee Voters List.*—The rules framed under the existing law impose on committees the duty of preparing and publishing a list of voters from time to time. As a matter of fact, committees have not been able or have failed to maintain correct and complete lists of qualified voters, and revision of the register from time to time has scarcely ever been successfully done. It is hardly a matter for surprise that committees, provided with no facilities and unassisted by local officials holding influential and responsible positions, should have failed to keep proper registers. We have carefully considered this matter, and have come to the unanimous conclusion that this duty can be efficiently discharged only by providing that such lists shall be prepared and published under the authority of the District Judge. Under the existing rules, objections to the exclusion of persons qualified to vote from the register of voters are to be considered and disposed of by committees. The decision given by such a body as the committee without facilities for conducting an inquiry into the validity of the objections raised has often furnished occasion for unfavorable comment. It is, therefore, provided in Section 10 of the draft Bill that any person qualified to be elected committee member or to vote at the election of committee members may make a complaint to the District Judge against the omission of his name in the Committee Members list or Committee Voters list. Any person interested in the temple may, under Section 11 of the draft Bill, object to the inclusion in such lists of the name of any particular person, and the District Judge is empowered to remove the name of such person if he is satisfied in regard to the validity of the objection raised. Orders passed by the District Judge under Sections 10 and 11 are final.

18. *Conduct of Elections of Committee Members.*—The manner in which elections have been conducted by existing committees has given rise to much dissatisfaction. It is not a thing of uncommon occurrence that different members of committee should favour the election of different individuals, and, while there is this conflict of interests and inclinations, the election will of necessity afford very different degrees of satisfaction, and cannot command that confidence which a public election conducted in obedience to law ought to command and will command, if conducted under the superintendence of a responsible authority having no connection with the committee. Section 15 of the draft Bill provides that such elections shall be held under the superintendence of the District Judge or of any other officer or person deputed by him in that behalf. It may be observed in this connection that, when under the existing law an election is held for filling up a vacancy but nobody is elected, the District Judge has to fill up the vacancy by nomination, and, in view to ascertaining the wishes of persons interested, District Judges have in some instances found it desirable to conduct an informal election, and have made their nomination in accordance with the results of such election.

19. *Payment of expenses.*—Provision is made in Sections 45, 48, 49 and 50 for the expenses attending the annual audit of accounts, the preparation of registers, the maintenance of office establishment by committees and the conduct of elections being met by contributions from the temples concerned through the committees under whose supervision they are placed.

20. *New Committees.*—According to the scheme suggested in the draft Bill, elections will be held once in five years, and the appointment by the District Judge of the members to be nominated will also be made once in five years, the committees being authorized to fill up vacancies occurring in the interval. In the year in which the Act comes into force, 1894 as suggested in Section 1 of the draft Bill, elections will have to be held to fill up vacancies in the existing committees and to constitute such new committees as may be required. We are of opinion that only a few new committees are likely to be required.

21. *Rules.*—Under the law now in force, the qualifications of voters are defined by rules under the Act, prescribed by Government. It is in our opinion desirable that a matter of such importance as the qualifications of voters should be defined by the Act itself as is the case in the Municipal and similar Acts. According to Act XX of 1863, the persons who have the right to elect are described in the general terms "those who are interested in the maintenance of the religious institution." We think it desirable that the electoral privilege should not be indiscriminately extended to the whole class of persons interested, but should be confined to such persons of that class as possess certain qualifications defined in the Act. The draft Bill is thus made to contain provisions regarding the qualifications and disqualifications of persons entitled to vote at elections, and of persons entitled to be elected members of committee. Mention has already been made of the provisions in the draft Bill governing the procedure to be followed in the consideration and final disposal of objections raised against the lists published under the authority of the District Court. In regard to several elections held under the existing law, there have been complaints of voters and candidates for election having been guilty of illegal and corrupt practices. With a view to check such practices, Section 100 provides a penalty, and clause (g) of Section 6 and clause (g) of Section 8 deprive persons convicted of an offence under Section 100 of the right to be elected or to vote. All the main things connected with elections being thus provided for in the Act itself, the rules to be framed under the Act will relate only to minor details bearing on the conduct of elections.

22. *Powers and duties of Committees.*—The powers and duties of committees have been made as specific, clear and definite as practicable. According to the draft Bill, committees have power to call for accounts, to cause them to be audited, to examine the cash balance and other property belonging to temples, to make local inquiries concerning the affairs of any temple under its supervision, to hold a formal inquiry into charges of misfeasance and neglect of duty against a trustee, and to dismiss a trustee convicted of misconduct. In the case of hereditary trustees of temples, the powers are restricted to calling for accounts once a year and to causing the accounts to be audited; and in case of misfeasance, malfeasance or breach of trust on the part of the hereditary trustees, the committee has no power to conduct an investigation or to order dismissal, but may, under Sections 79 and 80, sue before a court of competent jurisdiction.

Though under the existing law committees have power to dismiss for good and sufficient reasons dishonest or recalcitrant trustees, there is no provision enabling them to enforce the order of dismissal except by a regular suit. The result has been that the order of dismissal has often remained inoperative. Experience has shown that this procedure has impaired the efficiency of committees, and has exposed temple funds to the danger of being misappropriated by the dismissed trustee during the course of a protracted litigation respecting the validity or otherwise of his dismissal. It is provided in the draft Bill that the committee should give the trustee, suspected of or charged with misconduct, an opportunity to be heard in his defence; that it should record in writing its reasons for dismissing him; and that, in the event of the trustee not obeying the order of dismissal, the committee may apply to the District Court for a summary order to eject the trustee. The Judge is empowered to pass such order, unless in his opinion there are no sufficient *prima facie* grounds for dismissing the trustee. Provision is also made for the Judge passing a summary order as to the delivery of the property vested in the trustee as such in case he refuses to do so. These summary orders are of course not intended to be final. It is open to the trustee to contest their validity by a regular suit. We are strongly convinced that this summary power must be vested in the Judge to secure prompt obedience to the committee's orders, without at the same time depriving the trustee of his right to challenge the propriety of such orders, and to secure re-instatement in office as trustee if he is able to prove that he has been unjustly removed from office.

The existing law contains no provision for putting the committee in possession of the funds required for maintaining a clerical and auditing staff and for meeting the costs of suits and other legal proceedings in which it may be involved. According to Sections 45 and 49 of the draft Bill, the cost of the clerical and auditing staff is to be borne by the temples, subject to the committee's jurisdiction; but, as a check against unnecessary or extravagant expenditure on such establishments, it is enacted in Section 39 that the establishment to be kept and the salaries to be given should be previously sanctioned by the District Judge.

The draft Bill gives effect to the suggestion made by the Government of India in regard to advancing funds to committees for prosecuting a trustee or conducting a defence. On application made by the committee, the District Judge is empowered by Section 80 to make advances to committees from the funds of the temples concerned in the litigation. In cases in which it is found eventually that the suit or defence conducted by the committee is unreasonable, frivolous or vexatious, the court passing judgment on the case may order the refund of the whole or any part of the amount advanced in addition to any order that the court may pass as to costs in the usual course.

In addition to keeping regular accounts of receipts and disbursements as required by the existing law, the committee has, under Section 42 of the draft Bill, to prepare and publish in the District Gazette at the end of every year a report of the administration of all temples subject to its supervision, including the temples under the management of hereditary trustees.

23. *Trustees.*—So far as hereditary trustees are concerned, the committees have nothing to do with the succession or appointment to the office of trustee. In regard to this class of temples, the provision contained in Section 5 of Act XX of 1863, authorising the District Judge to appoint a temporary manager to act until the dispute as to the right of succession is settled, is re-enacted in Section 63 of the draft Bill.

As to the other class of temples which alone are, under the existing law, subject to the jurisdiction of committees, the power of nominating trustees is exercised by such committees, and trustees hold office for life except they resign or are removed for misconduct. It does not seem desirable either to entrust to committees so responsible a function as that of nominating trustees, or to make a trustee once nominated remain a trustee for life. Experience has shown that the exercise of such power by committees has not unfrequently led to factious disputes among the committee members themselves, and to the appointment as trustees, not of persons of recognised social position and independence of character, but of persons likely to be in a state of undue subserviency to the committee or to a section thereof. Act XX of 1863 precludes a member of committee from being at the same time a trustee in view of the incompatibility of the functions connected with the two offices. This object can be best secured only by preventing the possibility of mere hangers-on or dependents of members of committee being appointed trustees. In our opinion, the appointment of a trustee is not of less importance than that of a committee member, and persons interested in the proper management of a temple are the persons most likely to exercise the power of election with due regard to the best interests of that temple. The reasons already given for limiting the duration of office of a committee member to five years apply, with equal cogency to trustees, and it has, therefore, been considered expedient to make the office of trustee tenable for five years instead of for life. On this question, as on the question of the period of tenure of a committee membership, there is a strong preponderance of opinion in favour of a change such as is embodied in the draft Bill.

As to the authority to whom the conduct of the election of trustees is to be entrusted, the committee constituted under the Act ought to be and will be able to carry on such elections, and it is not, therefore, proposed to assign this task also to the District Judge. The difficulties experienced by committees in preparing and maintaining correct and complete lists of voters are obviated by providing that the lists prepared and published under the authority of the District Judge in connection with the election of committee members shall be adopted and utilised in conducting the election of trustees, subject to the limitations contained in Section 52 of the draft Bill.

We are of opinion that as a trustee, unlike a member of committee, has to regulate and control the internal management of a temple and the worship therein, it is necessary that the trustee should, as far as practicable, belong to the same religious denomination as that of the temple of which he is a trustee, and that he should also be a person entitled to enter the inner precincts of such temple. The need for such a provision has been strongly pressed on us in several replies to our circular.

The question to what religious denomination a candidate belongs is often one of extreme difficulty and delicacy. Considerable special knowledge will be necessary for dealing properly with a question of this kind, and we have, therefore, provided in Section 55 of the draft Bill that the decision on this point of the committee shall be conclusive and final.

The Sections of the draft Bill connected with the powers and duties of temple trustees are intended to define only such special powers and duties as are essential for carrying out the purposes of the Act. It is scarcely necessary to add that, in matters not provided for in the draft Bill, their powers and duties will, as heretofore, be regulated by the general law. Considerable doubt exists at present as to the power of trustees in the matter of the investment of surplus temple funds and of the alienation of temple property. In order to remove this uncertainty, we have adopted in Section 82 of the draft Bill the provisions of the Indian Trusts Act in regard to investments.

In regard to the alienation of temple property by trustees or to the leasing of it for a period exceeding five years, it is provided in Section 85 that the previous sanction of the District Judge shall be necessary for making such transactions valid. Under the general law, temple property is not alienable except for the manifest benefit of the institution. The provision making the previous sanction of the District Judge essential for rendering an exchange, sale, mortgage or lease for a term exceeding five years valid is intended, on the one hand, to check and prevent improper transactions of this nature; and, on the other hand, to protect trustees and purchasers, mortgagees and lessees from expensive and harassing litigation.

One other matter of importance deserves to be mentioned in this connection. There is a strong feeling, as evinced by the replies to our circular, that it is desirable to make a provision for enabling trustees and members of committee to appropriate any surplus of income permanently in excess of the requirements of the temple to educational or other charitable purposes not inconsistent with the objects of the institution. In several richly endowed temples, there is a considerable surplus even after due allowance is made for keeping the temple in repair and for making such improvements as may appear necessary or desirable; and in such cases it may appear that the appropriation of a part, if not the whole, of such surplus to educational or other charitable purposes is not at variance with the traditional usages of the country. While the feeling is strong in favour of such diversion under legal sanction, there is an equally strong feeling against the surplus being applied to charitable purposes which cannot be fairly regarded as compatible with the objects of the institution. We may add that the provision is only permissive. In the case of temples managed by hereditary trustees, the proposal to appropriate surplus funds in this manner should emanate from the trustees themselves, and not from committees. In the case of other temples, application may be made either by the trustees or by committees. In every case, the previous sanction of the District Judge is necessary, as such appropriation of surplus funds is, in effect, an extension of the original scheme of administration of the endowment, and must, therefore, be safeguarded by judicial sanction.

Section 93 of the draft Bill authorises the committee and the trustee jointly to revise the standard scale of expenditure, or, what is technically called, "dittam," and to fix the proportions in which the income of the temple is to be applied to its several objects. This provision is intended to check any capricious departure from the scheme and to adjust the expenditure to the income in view of material financial changes. In cases in which the committee and the trustee disagree, the matter is to be referred to the District Judge, whose decision is final.

24. *Work assigned to the District Judge.*—Under Act XX of 1863, the suits instituted against members of committee and trustees are triable by the District Court only, no matter what the value of the suit may be. We, however, see no sufficient reason why such suits should not be tried by a Sub-Judge or a District Munsif with reference to their pecuniary value. The questions involved in suits of this description are of a kind which not unfrequently arise in suits triable by Sub-Judges and Munsifs, and it appears to be a waste of judicial power to make all such suits, irrespective of their value, triable exclusively by the highest court in the district. So far, however, as Act XX of 1863 vests in the District Judge the discretion to grant sanction for the institution of such suits, as such discretionary power has to be exercised with care and judgment, we think it desirable that it should continue to vest in the District Judge only.

The change proposed in the preceding paragraph will afford relief to the District Judge, as this class of suits is numerous and takes up much time. The additional work assigned to the District Judge by the draft Bill is, in most cases, judicial, and, the jurisdiction being summary and special, can be safely entrusted only to him.

We may add that Section 87 empowers Government to invest a Sub-Judge or a District Munsif with all or any of the powers conferred by the draft Bill on the District Judge, save the power of granting or withholding sanction for the institution of suits referred to above.

It has been already pointed out that the work of maintaining lists of persons eligible to be elected members of committee and of voters, of conducting the election of committee members and of nominating the prescribed proportion of committee members, has been assigned in the draft Bill to the District Judge. We may observe that even under the existing Act the District Judge has to nominate committee members when the election for filling up a vacancy fails. The work that we propose to assign to the District Judge will fall to be done only once in five years and may under Section 87 be delegated by Government to Sub-Judges and District Munsifs. So far as the conduct of elections relating to the committee is concerned, the District Judge has power to depute an inferior officer to do that work under his supervision. The plan of making the committees themselves conduct the election of committee members is in no small measure responsible for the irregularities and corrupt practices so frequently made the subject of complaint in connection with elections. It is absolutely necessary that some authority, outside the committee and independent of it, should be responsible not only for preparing and publishing correct lists, but for conducting elections and hearing and disposing of complaints and objections connected with elections. We see no mode of escape from the necessity for imposing this work on the District Judge, if the system of securing representative men on committees by the method of election is to work efficiently and satisfactorily in practice. No other alternative seems to be of efficacy sufficient to remedy the existing evils.

25. We deem it our duty to state that there exists a widespread feeling among the Hindu community that the duty of providing effectual remedies against the crying abuses existing in the administration and management of temples is one which has devolved on the British Government from former Governments, and that religious and charitable endowments, founded and augmented by many generations of wealthy and pious Hindu rajahs and noblemen and dedicated to objects held dear and sacred by every section of Hindus, will gradually deteriorate and eventually be absorbed into private property, unless the further progress of the evil is arrested by altering the existing law, and thereby providing adequate safeguards against neglect and misappropriation.

In conclusion, we beg to repeat once more that it is our firm and earnest conviction that fresh legislation for the protection of temple endowments is absolutely needed, and that the absence of legislation of a sufficiently protective character has been a standing grievance among the Hindu community for half a century. We may add that many of the temples of this presidency stand on a different footing from those in other presidencies which are neither so numerous nor so wealthy, and for which there has apparently been no such demand for adequate remedial legislation as in this presidency. With these remarks we commend the draft Bill to the favorable consideration of Government.

We have the honour to be,

Sir,

Your most obedient servants,

T. MUTTUSAMI AIYAR.

P. CHENTSAL RAO.

S. SUBRAMANIAM.

V. BHASHYAM IYENGAR.

P. RANGANADAM.

C. SANKARAN NAYAR.

TABULAR STATEMENT.

No.	District.	Name.	Reply.
1	Tinnevely.	The President of the Siva Committee, Tinnevely.	Suggests alterations in sections 5, 6, 26, 53, 58, 68, 71, 79 and 81.
2		The President of the Vishnu Temple Committee.	Suggests additions and alterations in sections 3 (paragraph 2), 6, 21, 29, 42, 53, 64, 69, 70, 79, 80, 81 and 94. Section 4 may be omitted.
3		The Honorary Secretary of the Jubilee Annual Celebration Committee.	Enumerates the irregularities and defects in the working of the system now in vogue and thinks that the Bill is necessary, but suggests certain additions to and alterations in the Bill.
4		Memorial of the inhabitants of Srivilliputur and its adjoining villages.	States the arbitrary expenses, misappropriation of the temple funds and other irregularities committed by the trustees and managers of Nachiarkoil devasthanam and prays for the remedy of the above irregularities.
5		The members of the Devasthanam Committees of Madura Minakshi pagoda, Kalla Alagar koil and Kudal Alagar koil.	Suggests alterations in sections 3, 6, 9, 29, 35, 38, 39, 53, 68, 72, &c., 79 and 90, and also suggests certain additional sections.
6	Madura.	Rajah M. Bhaskara Setupathy, Zemindar of Ramnad.	States that— (1) The new arrangements will but augment existing evils. (2) The present Act provides sufficient safeguards against irregularities. (3) The great zemindars should be exempted from the supervision of the committee. (4) The sections 6, 36, 52, 53 and 91 require the suggested modification.
7		Sreemuth Muthuvizia Ragoonatha Raja Oodayana Tever, Zemindar, Sivaganga.	States that— (1) The Bill is entirely uncalled for and is an infringement of the principle of religious neutrality enunciated in the great Proclamation of Her Majesty the Queen-Empress. (2) Section 14 of Act XX of 1863, corresponding to section 91 of the present Bill, is a sufficient safe-guard against abuse of powers by the zemindars and hereditary trustees. (3) The temple committee appointed over a zemindar trustee is sure to work mischief. (4) The kattalays ought to be excluded from the jurisdiction of the committees. (5) The policy of the present Bill, unlike the policy of Act XX of 1863, is to level down hereditary trustees to the position of appointed trustees. (6) The zemindars should be exempted from the supervision of the Committee.
8		R. Srikalahastie S. Ramakrishna Iyer, B.A., M. Narayanaswami, B.A., and others.	Propose additions and alterations in sections 2, 6, 7, 8, 9, 22, 26, 29, 31, 32, 38 and 90, 53 and 79.

No.	District.	Name.	Reply.
9	Madura —cont.	Sreemuth Daivasikamani Pandarasunnadhi alias Aroomooga Daisigar Avargal, the head of the Tiruvannamalai mutt, and the hereditary Hukhdar and Durmakartha of the devasthanams of (1) Pranmalai, (2) Kundragudi, (3) Tirupatūr, (4) Thirukkalagudi and (5) Thanatchi Amman koil, residing in Pranmalai and Kundragudi, Tirupatūr taluk, Sivaganga zemindari, Madura district.	(1) The Bill is an uncalled for and quite an illegal interference with, and usurpation of the rights and privileges maintained and enjoyed by the hereditary trustees from time immemorial. (2) The present law provides sufficient safeguards, both civil and criminal, against breach of trust and misappropriation of temple funds. (3) The Bill aims at frustrating the very object and intentions of the original founders of these institutions and goes very much beyond the scope of Act XX of 1863. (4) The Bill is against the principle of religious neutrality enunciated in the Proclamation of Her Majesty in 1858. (5) Proposes some additions.
10	Trichinopoly.	L. Krishnaiyengar, Pensioned Sheristadar of the Trichinopoly District Court.	(1) The Bill is a great improvement upon the present Act XX of 1863 and contains very good provisions for the better management and security of the funds and properties of the Hindu religious and charitable institutions. (2) Proposes alterations in sections 3, 6, 9, 14, 15 and 18, 26, 29, 31, 53, 58, 59, 65, 66, 67, 71, 75, 81 and 82, 94 and 97.
11		S. Krishnama Chari, 1st-grade Pleader, Trichinopoly.	(1) Act XX of 1863 works very unsatisfactorily and the present Bill will afford the public some satisfaction. (2) Proposes alterations in sections 16, 58, 31 and 54.
12		The Secretary, Hindu Sabha, Tiruvanaikaval.	Suggests alterations in sections 6, 9, 29, 43, 53, 56, 61, 62, 73, 81 and 90.
13		The President, Tanjore People's Association.	(1) The Bill is a necessary improvement upon the present Act. (2) Proposes certain additions and alterations in sections 3, 6, 10, 11, 26, 36, 38, 39, 41, 79 and 80.
14		Ambalavana Desicar, Pandarasunnathi and Matathipathy or High Priest of Thiruvaduthurai Athinam in the Māvavaram taluk, Tanjore district.	(1) The Bill ignores the rights and privileges of athinakarthis and managers recognised and maintained in section 4 of Act XX of 1863. (2) The Bill is likely to work a great deal of hardship. (3) Proposes certain new sections and suggests certain alterations to some of the sections in the Bill.
15	Tanjore.	The Managing Member, Devasthanam Committee, Kumbakonam.	(1) The definition of "temple" in section 2 of the Bill is a desirable improvement upon the present Act. (2) Proposes certain additions and alterations in sections 3, 10, 11, 26, 31, 38, 39, 41, 58, 79, 80 and 81.
16		Gnana Sammantha Pundaram Sunnathe Avargal of Durmapuram Adhinam.	(1) The present Bill is not in accordance with the policy of Act XX of 1863. (2) It is a disgrace for the priests to be brought under the category of the other trustees. (3) Section 79 of the Bill is objectionable.
17		Thiruvambalam Chettyar, Managing Member, Devasthanam Committee, Negapatam Circle.	Suggests amendments to sections 5, 6, 7, 8, 9, 10, 35, 53 and 56.

No.	District.	Name.	Reply.
18	Tanjore— cont.	The Secretary of the Mahajana Sabha, Melatūr.	Suggests alterations to be made in sections 2, 5, 8, 24, 36, 41 and 79.
19		Vythilinga Pundarasannuthy Authinakarthis of Vailakurichi muttum in Tinnevely district, residing at Tiruválur in the district of Tanjore.	(1) The Bill is against the policy of Act XX of 1863. (2) It is derogatory to the position of Mut-tathipathies to submit them to temple committee. (3) Muttum temples are now managed satisfactorily. (4) Muttum temples may be excluded from the jurisdiction of the temple committee.
20	South Arcot.	M. Arumuga Pillai, Trustee, Thiruvaheenthrapuram, Cuddalore.	(1) The definition of "temple" in the Bill is too wide in its application. (2) Suggests certain alterations in sections 4, 6, 53, 58 and 65.
21		M. Rajarathnam, Cuddalore.	(1) Suggests certain alterations with regard to the qualifications of the members. (2) Mutts should be included in the list of institutions to be governed by the Act.
22			
23	Chingleput.	A Dharmakarta of Sri Devaraja Swami temple, Conjeeveram.	(1) The working of Act XX of 1863 shows that the proposed legislation is necessary. (2) Hereditary trustees should be excluded from the jurisdiction of the committee. (3) The suggestion of certain alterations in sections 65, 76, 89, 79, 80 and 78. (4) The name of the Bill should be "Hindu Temple Property" Bill.
24		Dharmakartha of Sri Devaraja Swami temple, Conjeeveram.	The same as above, with the following suggestion:— The framers of the Bill may make any rules they think fit and best to improve the efficiency and good conduct of hereditary trustees in regard to proper care and due appropriation of temple property and funds.
25		Government Pleader, Chingleput.	(1) The Bill provides for all defects in the present law on the subject. (2) Suggests alterations in sections 6, 9, 26 and 62.
26		Somoosoonthrum Chetty	(1) The Bill provides remedies for the long-standing evils complained of frequently and with much earnestness. (2) Suggests modifications to sections 6, 26, 58, 63, 69, 71, 79 and 80. (3) Special provision should be made for the repairs of any trinkets or jewels, and for the disposal of really useless ornaments.
27	Madras.	V. Krishnama Chari	(1) The new Bill is an improvement on the existing law. (2) As the hereditary trustees are required by the present Bill to sacrifice too much, they should be exempted from the jurisdiction of the temple committees. (3) Proposes modifications in sections 2, 5, 6, 7, 21, 23, 26, 27, 31, 41, 47, 65, 70, 71, 79 and 90.

No.	District.	Name.	Reply.
28	Madras.	The Secretary to the Madras Hindu Devasthanam Committee.	Suggests some additional provisions to the following effect:— The formation of a central controlling body like the Board of Revenue—the Office of the trustees, their annual budget and the language in which their proceedings are to be conducted. Some alterations in sections 57, 79 and 80.
29		The Secretaries of the Mahajana Sabha Office, Madras.	(1) The Committee of the Sabha. notes with great satisfaction that all classes of temples are brought within the scope of the Bill and that matams are excluded from it. (2) The Sabha disapproves of the procedure laid down in sections 74 (a), 74 (b), 74 (c), and prefers the simpler rule laid down in the alternative section 74. (3) The Bill will, if passed into law, produce a great improvement in the administration of Hindu temples.
30	North Arcot.	Darmakartha of Tirumalai, Tirupathi, and other temples.	(1) The Bill is an improvement on the existing, both as regards its scope and its details. (2) Suggests modifications of sections 4, 6, 7, 9, 12, 19, 26, 27, 28, 29, 32, 36, 41, 46, 53, 58, 72, 79, 80, 81, 82 and 94.
31	Coimbatore.	Memorial of the inhabitants of Coimbatore.	(1) Expresses feelings of joy and gratitude for having instituted the commission to frame the Bill. (2) Sections 25, 26, 58, and exceptions made in sections 61, 62 and 63 in connection with section 72, are unsatisfactory.
32		Dewan of Vencataghiri ..	(1) It is desirable to have some control over Zemindary temples also. (2) The controlling authority should command sufficient respect from the persons to be controlled. (3) Suggests District Judges or Sub-Judges to be of such controlling authority. (4) Suggests to expunge sections 79 and 80 of the Bill.
33	Cuddapah.	Members of the Hindu Temple Committee of Cuddapah taluk.	The Bill contains no provision whatever for compelling the Revenue officials to render a true and verified statement of lands granted by Government and others to the various religious endowments and their servants.
34		The Secretary, Hindu Literary Society, Váyalpád.	(1) Some check or control over the temple funds of mutts is necessary. (2) Certain proposals are made with regard to sections 2, 3, 7, 8, 16, 17, 24, 25 to 28, 32, 34, 35, 39, 40, 46, 53 (1), 58, 71, 72 to 74, 79 and 90.
35	Bellary.	A. Sabapathy Mudaliar ..	(1) The distinction between temples endowed by private charity and temples endowed by other means should not be done away with. (2) Temples endowed by private individuals and managed by their descendants may be left out of the operation of the proposed enactment. (3) Proposes certain amendments to sections 26 and 74. (4) Act XX of 1863 is almost a dead letter and the proposed legislation is necessary.

No.	District.	Name.	Reply.
36	Godavari.	C. Nagojee Row Pantulu Garu, B.A., Inspector of Schols, Northern Circle.	Offers a few remarks about the machinery proposed in the Bill for the selection of members of temple committees and about the expenses of a suit between the members of a committee and temple trustee.
37		A First-Grade Pleader, Cocanada.	Objects to the elective system introduced in the Bill.
38		Do. do. ..	The Bill is suited to the present circumstances of the country. The elective system embodied in the Bill should be given a fair trial.
39	Vizagapatam.	Rajah G. N. Gajapathi Row ..	(1) An exception should be made in the case of temples under the exclusive management and control of its founders or their successors. (2) Additions and alterations proposed with regard to sections 6, 9 and 53.
40	Mangalore.	Subba Row, High Court Vakil.	Makes a few remarks about sections 2, 3, 6 and 56, 7 and 56, 18 and 15, 19 and 26, 31 and 37, 46, 52, 72, &c., 78 and 91.
41	Kurnool.	The Temple Committee of Kolkuntla taluk, Kurnool district.	(1) Clear provisions are wanted in the Bill on certain important points. (2) Suggests alterations in sections 2, 6, 10, 23, 29, 32, 33, 35, 39, 57-A, 63, 68, 72, 74, 76, 79, 81, 82, 90, 91 and 96.
42	Malabar.	Kerala Varma Rajah, the senior Rajah of Chirakkál kovilagam, in Chirakkál taluk, North Malabar.	Objects to legislation on the following grounds:— (1) It is Governmental interference in temple matters. (2) The Bill is against the order of Governor-General in Council and beyond the scope of Act XX of 1863. (3) It is against the orders of the British Parliament and against the promise of Her Majesty the Empress of India contained in the Proclamation of 1858. (4) It is against the cardinal principle of British rule, viz., non-interference in caste and religious matters. (5) The temples in Malabar are founded on the understanding that the income of properties after defraying the expenses of the temple should be appropriated by their owners and proprietors — our temples are founded on the above understanding. (7) The treaties between our ancestors and the Honorable East India Company sanction our independent management of our temple affairs. (8) Act XX of 1863 does not apply to Malabar. (9) Our temples and other temples in Malabar may be excluded from the operation of the Act.
43		A. Sankaraiah, President founder, Hindu Sabha.	(1) The Bill is based on the principle of usurpation. (2) The Bill is not in accordance with the general laws applicable to mosques and churches. (3) The Superintendence of Achariars over temple affairs is suggested.

No.	District.	Name.	Reply.
44	Malabar.	Puthisherry Pudia Vittil Raman Nambiar, uralen and proprietor of Sangaran Kulangara Edam temple, in Nittoor amshom of Kottayam taluk, North Malabar.	Objects to the Bill as it includes the private temples of Malabar, and requests to exclude his temple from the operation of the Act on the ground of its being a private temple.
45		The second Rajah of Calicut.	Objects to the extension of the Act to Malabar— (1) Regulation VII of 1817 and Act XX of 1863 do not apply to Malabar. (2) The temples of Malabar are constituted on principles peculiar to Malabar. (3) It is public robbery. (4) No necessity for the interference in Malabar. The Bill is the outcome of complaints from other districts. (5) Malabar temples are governed by local usage and custom. Malabar should be exempted from the proposed enactment.
46		Alakkat Illath Nambiathan Nambudri, uralen and proprietor of Thillangari temple and its subordinate temple Kuruvalloor of Thillangari desom, in Mozhakunnoo amshom, Kottayam taluk.	Objects to the Bill— (1) It is against the orders and regulations of the Honorable East India Company and the promise contained in the Proclamation of the Queen Empress in 1858. (2) The temples in Malabar are private ones. (3) Regulation VII of 1817 and Act XX of 1863 are not applicable to Malabar. Malabar should be excluded from the operation of the Act.
47		Karakott Edathil Ryrappan Nambiar of Ellarinhi desom, Kanhilari amshom, in Chirakkal taluk, North Malabar.	Objects to the Bill— (1) It is an interference in religious matters. (2) It is a source of grievance to the people of Malabar. (3) It is against the promise contained in the Proclamation of 1858. (4) It is against the Despatch of the Home Government in 1833. (5) Regulation VII of 1817 and Act XX of 1863 are not applicable to Malabar. (6) It will deprive many families of their tarwad property. (7) In many cases the family estates are registered in the name of the diety in order to prevent family dissensions and to check improper alienations of property by the members of the family. Malabar should be excluded from the operation of the proposed enactment.
48		Sikari Varma, Valia Raja of Palghat.	Objects to the Bill— (1) It is beyond the scope of Act XX of 1863 and in contravention of the orders of the Governor-General in Council. (2) It is against the promise contained in the Proclamation of 1858. (3) It is a source of grievance to the owners of temples in Malabar.

No.	District.	Name.	Reply.
49	Malabar.	The Nambudiries of Perinchelloor gramam in Chirakkal taluk.	(4) The temples in Malabar, unlike the temples in other districts, are private. (5) In Malabar only certain sects are allowed to enter certain temples, so the superintendence of these temples cannot be handed over to any but the members of this sect. Malabar should be excluded from the operation of this Act. Objects to the Bill— (1) It is a source of grievance to Nambudiries and Antharjannams (Nambudiri ladies). (2) It is opposed to the rules of management as laid down by Hindu Law. (3) It is opposed to the reasons which led to the non-applicability of Regulation VII of 1817 and Act XX of 1863 to Malabar. Malabar should be excluded from the operation of the Act.
50		(1) Murikkancherai Kizhakai Mulli Kot Kamaran; (2) Chengunitaith Puthen Veetil Chandu, uralers of Puthia Kavu devasom in Azhikot amsom desom, Chirakkal taluk.	
51		Krishnan Nambudiri, uralen of Govindapuram devasom in Chirakkal taluk.	
52		The Uralen of Akbath devasom, Chirakkal taluk.	(1) The Bill is against the orders and proclamation of the Government of India and against the current of High Court and Privy Council decisions.
53		Chalat Vengola Krishnan Nambudire, uralen of Chalat devasom, Puzhathi amsom, Chirakkal taluk and 4 others.	(2) It is opposed to the reasons which excluded Malabar from the operation of Regulation VII of 1817 and Act XX of 1863.
54		Theeyarath Kunjamman Nambiar and 3 others, uralers of Vokyarathu devasom, Chirakkal taluk.	(3) It impoverishes many Malabar families which are the founders and managers of these temples.
55		Etayeth Illoth Raman Nambudiri and another, uralers of Narath devasom in Narath desom, Kannatiparamba amsom, Chirakkal taluk.	(4) It is against the promise contained in the Queen's Proclamation of 1858.
56		Kotakattari Kunji Puthia Veetil Chindan and 6 others, uralers of Kannati Paramba devasom in Kannati Paramba amsom desom, Chirakkal taluk.	(5) Many temples in Malabar are private. Malabar should be excluded from the operation of the proposed enactment.
57		Subramania Bharatikal, alias Pakarvur Swamiar, head of the Naduvil Mutt, Malabar.	Objects to the Bill— (1) The religious institutions of Malabar are in character very dissimilar to those of the other districts. (2) The Rajahs of Malabar never exercised any melkoima rights over the temples belonging to my mutt.

ST. GEORGE.

DEPARTMENT.

MEETING OF THE COUNCIL
FOR NOVEMBER 1893.

PRESIDENT: the Honorable K. Kalya-

ceased to state a Bill to amend the
likely to be introduced into the Legis-

passed to pass orders directing that the
in force for only 3 years?

passed to associate with each Settlement
the officer of experience for the hearing
connection with the revenue settlement

October 1893, No. 1960 L., recording
festival at Tiruválúr, Nega-
tion of Government has been drawn
Hindu newspaper of the 10th July
page 4 of the same newspaper in its
view of the absence of all reference
of the Taluk Board, the Government
circumstances mentioned in the commu-
with any order that the Government

the town of Tanjore, in the Tanjore
is chairman seven years ago on the
ed by the then existing rules at the
of chairman? Whether the Council
repeatedly the restoration of the

November 1893.

Public Dept. with

information should be furnished

to the M. to day-

(By order)

Receives

Under duty to Govt.