

The Shri Jagannath Temple Rules, 1960

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Rule THE-SHRI-JAGANNATH-TEMPLE-RULES-1960 of 1960

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The Shri Jagannath Temple Rules, 1960 Published vide Notification No. 6622-L, dated 24th October, 1960, Orissa Gazette Extraordinary No. 670/25.10.1960 Notification No. 6622-L, dated 24th October, 1960. - In exercise of the powers conferred by Section 35 of Shri Jagannath Temple Act, 1954 (Orissa Act 11 of 1955) the State Government hereby make the following rules, namely :

1. Short title and commencement.

(1) These rules may be called the Sri Jagannath Temple Rules, 1960. (2) They shall come into force with effect from the 27th October, 1960.

2. Definitions.

- In these rules unless the context otherwise requires-(a)"Section" means a section of the Act;(b)"the Act" means the Shri Jagannath Temple Act, 1954 (Orissa Act 11 of 1955); and(c)all other words and expressions used in these rules but not defined here shall have the same meaning as has respectively been assigned to them under the Act.

2A. Co-option of members.

(1) The Committee may, from time to time, co-opt persons not belonging to any of the categories referred to in Clauses (e), (f) and (g) of Sub-section (1) of Section 6 to be members of the Committee : Provided that at no time the total number of the co-opted members shall exceed four. (2) In case there is difference of opinion as to the person to be co-opted, the matter shall be decided by voting. (3) A co-opted member, who has absented himself from three consecutive meetings of the Committee, shall cease to hold office as such member.

3. Daily allowance of members of Committee.

(1)The members of the Committee other than the Administrator shall, for the purposes of attending to the business of the Committee, be entitled to daily allowance at the rate of [twenty rupees] [Substituted vide Notification No. 8177/1.7.1995.] a day for each day on which such business is carried on.(2)The members of the Committee other than those residing at Puri, shall, for the said purposes in addition to the allowance specified in Sub-Rule (1), be entitled to daily allowance at the rate of [twenty rupees] [Substituted vide Notification No. 8177/1.7.1995.] a day for each day of the period covered by the journey from the place of residence of the member to Puri and back :Provided that in calculating the aforesaid period the days for which the journey is broken shall not be taken into account :Provided further that where any day on which such journey is performed coincides with any day or which the business of the Committee is carried on the member shall be entitled to the daily allowance under the sub-rule in respect of such day.

3A. Travelling allowance of members of Committee.

- The members of the Committee other than those residing at Puri shall be entitled to travelling allowance for journeys between his ordinary place of residence and Puri for attending to the business of the Committee on the following scale, namely ;(a)for journeys performed by train, an amount equal to first class train fare by the shortest route;(b)for journeys performed by bus, an amount equal to upper class bus fare by the shortest route;(c)for journeys performed partly by train and partly by bus, an amount equal to the aggregate of the first class train fare for the portion covered by train and the upper class bus fare for the portion covered by bus; and(d)for journeys performed in any other mode, an amount equal to first class train fare or upper class bus fare, whichever is less.

4. Submission of annual report.

- The Committee shall, by the end of the month of April every year on or before such other date thereafter as the State Government may, by special order direct, to submit the report under Section 18 to the State Government and such report shall be forthwith sent by the Committee to the Superintendent of Government Press, Orissa who shall cause the same to be published in the Gazette.

5. Procedure for taking over possession.

(1)The Committee immediately on its first assuming office shall, in the manner hereinafter provided, take over charge of all gold, silver, precious stones and other jewellerys inside the Ratna Bhandar from the Raja of Puri after actual verification of the stock which shall be classified and dealt within three categories, namely, articles that are never used, those that are used only on ceremonial or festive occasions and those that are of daily use.(2)The following persons shall be present at such certification-(i)the Committee represented by at least two of the members of the Committee other than the Administrator and the Raja of Puri;(ii)the Administrator;(iii)the Raja of

Puri or its representative authorised in writing in that behalf;(iv)the District Magistrate and the Superintendent of Police, Puri, if such officers profess the Hindu religion, failing which two officers in active service specially appointed by Government in that behalf:Provided that such District Magistrate or such Superintendent of Police, if he is unable to be personally present at such verification or at any time during the course thereof, shall have the power to depute to act on his behalf and subject to his control an officer not below the rank of a Deputy Magistrate or a Deputy Superintendent of Police as the case may be; and(v)the expert, if any, professing the Hindu religion as the Committee may deem it necessary to appoint for assigning in the testing and identification of the jewelleryes.(3)After verification three separate inventories showing the full particulars of each of the three categories of articles shall be drawn up by the Administrator and attested by the persons enumerated in Sub-rule (2) and present at the verification. The variations, if any, noticed from the list of jewelleryes acknowledged by the Raja of Puri in 1926 and preserved in the record room of the Puri Collectorate and further supplemented by the Raja of Puri before the Special Officer appointed under the Shri Jagannath Temple (Administration) Act, 1952 as recorded in the record-of-rights shall be noted in the inventories so prepared.(4)The Administrator shall also record the minutes of the entire proceedings relating to the verification and taking over charge of the jewelleryes and have the same attested by the persons specified in Sub-rule (2) and present at the proceedings.(5)During the course of the proceedings the issue and re-deposit of the jewelleryes as may be necessary for the due performance of the seva puja shall be made in the presence of the persons specified in Sub-rule (2). If in any event the proceedings cannot be completed at one sitting the jewelleryes shall remain under the seals of the District Magistrate, Puri, the Committee and the Raja of Puri :Provided that it shall be the duty of the Committee to ensure that on no account the performance of the sevas and the nitis of the temple are interrupted or in any manner prejudiced :Provided further that in no event shall any of the jewelleryes be removed beyond the precincts of the Ratna Bhandar without specific orders of the State Government in that behalf and without full compliance with such conditions, in any, that Government may impose.(6)On the completion of the proceedings the custody of the articles specified in Sub-rule (1) shall, subject to the provisions of the Act, be maintained in the manner laid down in Rule 6 and the inventories prepared under Sub-rule (3) shall be sealed and attested by the Administrator on behalf of the Committee in token of having taken over charge of the jewelleryes and by the Raja of Puri or his authorised representative, as the case may be.(7)The inventories and the minutes of the proceedings in original shall remain in the custody of the Administrator on behalf of the Committee who shall forthwith cause copies thereof, certified to be true by the Administrator, to be sent to the Raja of Puri and submitted to the State Government for their information.

6. Custody of articles.

(1)The first category of articles specified in Rule 5 shall remain under double lock and sealed with the seal of the Committee, the keys being deposited by the Administrator in the Government Treasury. The locks may be opened only under special orders of the State Government and subject to such conditions and limitations as the State Government may by special order direct.(2)The second category shall, subject to the supervision and control of the Committee, be kept under double lock, the key to one of which shall be with the Administrator the other remaining with the Patjoshi Mohapatra. The locks shall, as occasion requires, be opened in the presence of the Administrator,

the Patjoshi Mohapatra, the Deulakaran, the Tadaukaran and such other member of the Committee as may be authorised by it from time to time in that behalf. On every such occasion the issue of these jewellerys shall be to the Bhandar Mekap on proper receipt attested by all the persons aforesaid. After the use of these jewellerys, the Bhandar Mekap shall immediately return the same in the presence of the aforesaid persons and thereupon the Administrator in the presence of the Patjoshi Mohapatra shall re-deposit the same in the Ratna Bhandar.(3)The third category of articles shall, subject to the control of the Committee, remain within the Ratna Bhandar and under lock and key, the key remaining with the Bhandar Mekap who shall always remain accountable to the Administrator. The said articles for the purposes of their daily use of the deities shall be dealt with in the manner laid down in the record-of-rights.(4)The second and third categories of articles shall be compared and verified periodically at least once in every six months by the Administrator and such other member of the Committee specially authorised by it in that behalf and the report of the Administrator and such other member shall be placed before the Committee for its consideration which shall forthwith submit its report thereon to the State Government.

7. Articles received as gift.

- All gold, silver and jewellerys received as gift to the temple shall, subject to the rights of sevaks as recorded in the record of rights and subject to the control of the Committee, remain in the custody of the Administrator to be kept separately inside the Ratna Bhandar and the Administrator shall maintain a register in respect thereof, the entries wherein shall be made as and when such gifts are received and shall contain the full particulars of such gifts attested by the Patjoshi Mohapatra. The register shall be placed before the Committee and be subject to such periodical verification by it as it may from time to time direct. The extracts of the entries in the register shall be submitted to the State Government every month.

8. Jewellerys in the images of the deities.

- The safe custody of the jewellerys which have to constantly remain on the image of the deities inside the temple shall, subject to the supervision and control of the Committee, be the immediate responsibility of Palia Mekaps and Palia Khuntias in respect of the main temple and of the respective sevaks in relation to the subsidiary temples as recorded in the record-of-rights. An inventory of all such jewellerys shall be maintained by the Administrator subject to the supervision by the Committee. A copy of such inventory shall be submitted to the State Government and the inventory shall be compared and verified from time to time as the Committee may direct.

9. Sevaks to be responsible for some daily use articles.

- All movables of value including silver, gold and other utensils and silk clothings shall, subject to the control of the Committee, remain in the custody of the respective sevaks as mentioned in the record-of-rights. A full inventory thereof shall be maintained by the Administrator subject to the verification and supervision by the Committee. A copy of the inventory shall from time to time be submitted to the State Government.

10. Custody of documents.

(1) Documents relating to title of the temple, securities such as Government Promissory notes, stock certificates, debentures, post office cash certificates, national savings certificates, fixed deposits and mortgage deeds and bonds and promissory notes in favour of the temple shall remain in the custody of the Administrator subject to the supervision by the Committee or any of its members authorised by it in that behalf. Register of all such documents shall be maintained by the Administrator and verified periodically by the Committee. (2) Records and documents other than those referred to above shall remain in the custody of the Administrator subject to the supervision by the Committee.

11. Custody of other articles.

(1) It shall be the duty of the Committee to take all reasonable steps in conformity with the provisions of the Act to secure possession, custody, charge or control of such other articles and other properties of value, movable or immovable which in the opinion of the Committee it is entitled to secure by or under the Act but may not have been able to do so immediately on its first coming into office. (2) The possession, custody, charges or control of the properties as aforesaid on being so secured shall be governed so far as may be by the provisions of Rules 6 to 10. (3) The Committee shall from time to time keep the State Government informed of the list of such properties, the steps taken by it, and the result of all such proceedings along with the records for its inability, if any, in securing possession, custody, charges or control thereof.

11A. Sub-committees.

(1) The Sub-committees constituted under Section 15-A shall each have three members as specified below :

Finance Sub-committee

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| (a) | Collector of the district of Puri or the member nominated in his place under the proviso to Sub-section (1) of Section 6 | President
ex officio |
| (b) | the Administrator | Member
ex officio |
| (c) | one person to be selected by the Committee from amongst the non-official members of the Committee | Member |

Niti Sub-committee -

- | | | |
|-----|---|-------------------------|
| (a) | the Administrator | President
ex officio |
| (b) | the member nominated under Clause (d) of Sub-section (1) of Section 6 | Member
ex officio |
| (c) | one person to be selected by the Committee from amongst the non-official members of the Committee | Member |

Ratna Bhandar
Sub-committee -

- | | | |
|-----|---|---------------------|
| (a) | Collector of the district of Puri or the member nominated in his place under the proviso to Sub-section (1) of Section 6. | Presidentex officio |
| (b) | the Administrator | Memberex-officio |
| (c) | one person to be selected by the Committee from amongst the non-official members of the Committee. | Member |

(2) The term of office of a member of any Sub-committee, other than an ex officio member, shall, unless the Sub-committee is sooner dissolved by the Committee, be co-terminus with the term of office of the members of the Committee as specified in Section 9. (3) Whenever any matter is referred by the Committee to any Sub-committee, the president of the Sub-committee shall, within seven days from the date of such reference, give notice of at least three days to the members of the Sub-committee to meet at such time and such place as may be specified in the notice and shall preside over the meetings of the Sub-committee. (4) The Sub-committee after considering the matter referred to it shall forward the recommendations thereon to the Committee within fifteen days from the date of its meeting.

11B. Manner of enquiry on application under Section 15-B.

(1) As soon as may be after the receipt of an application under Sub-section (1) of Section 15-B, the Administrator shall affix a notice along with a copy of the application at some conspicuous part within the temple premises and in the notice board of the temple office, inviting objections from persons interested and shall also publish the notice and the copy of the application as aforesaid in one of the Oriya daily newspapers circulating in the town of Puri. (2) The publication in the newspaper as aforesaid shall be made at the cost of the applicant and for the said purpose the Administrator shall call upon the applicant to deposit the cost of the publication in the Temple office within a period to be fixed by him, failing which the Administrator shall withhold publication of the same. (3) All objections under Sub-rule (1) shall be filed within one month from the date of such affixture or publication whichever is later. (4) After expiry of the aforesaid period of one month the Administrator shall, after hearing the applicant and the objectors, if any, and after making such further enquiry as he deems fit, make an order either rejecting the application or affecting any change in any entry made in the record-of-rights and shall serve each of the parties with a copy of the order so made.

11C. Election of members to Appeal Sub-committee.

(1) Election of members of the Appeal Sub-committee shall be held at a meeting of the members of the Committee, other than the co-opted members specially convened for the purpose. (2) The member presiding at such meeting shall call upon the members present to propose names of persons from among the non-official members of the Committee for being elected as members of the said Sub-committee. (3) No such proposal shall be valid unless it is seconded by another member present at the meeting and unless the persons whose name is so proposed gives his consent

thereto.(4)If the number of persons whose names are validly proposed is less than or equal to the number of vacancies to be filled up by the persons whose names are so proposed, shall be declared elected.(5)In case there still remains a vacancy after such declaration or in case no names are proposed at the meeting, the State Government shall nominate such number of persons from among the non-official members of the Committee as may be necessary to fill up the vacancies to be members of the Appeal Sub-committee.(6)If the number of persons whose names are validly proposed under Sub-Rule (2) exceeds the number of vacancies, the matter shall be decided by votes cast by the members present at the meeting in the manner hereinafter provided.(7)Each member shall be entitled to cast votes in favour of as many candidates as there are vacancies but he shall not be entitled to cast more than one vote in favour of the same candidate.(8)In case there is only one vacancy to be filled up the candidate securing the highest number of valid votes shall be declared to be elected and in cases where there are two vacancies to be filled up those two candidates who secure more valid votes than others shall be declared to be elected.(9)In cases where an equal number of votes are polled by two or more candidates the matter shall be decided by drawing of lots as between such candidates.

12. Retention of existing employees.

- The officers and employees of the Temple already in service of the Temple on the date of the commencement of this Act, shall on and after the date continue in such service ;Provided that the Committee may as soon as may be after its first assumption of office, by general or special order exclude such officers and employees as it may deem fit from the operation of Sub-section (3) of Section 23-

13. Conditions of service of existing employees.

- The remuneration of such officers and employees shall, with effect from the date of the commencement of the Act, be as may be determined by the State Government in consultation with the Committee and their other conditions of service shall be the same as may be provided by regulations made under Clause (a) of Section 31 :Provided that pending such fixation, the Committee, may advance to the said officers and employees such sums in respect of their employment as the Committee may deem fit having regard to the nature of the duties of the respective officers and employees and all such advances shall be adjusted at the time when their remuneration is fixed in accordance with this rule.

14. Budget.

- As soon as may be after the appointment of the first Administrator, he shall prepare an interim budget having regard to the funds available by then and the budget so prepared shall be submitted in accordance with the provisions of Section 25.

15. Procedure to be adopted by Magistrate on receipt of requisition under Section 33.

(1)The requisition under Section 33 (2) shall be in the Form appended to the Schedule.(2)On receipt of the requisition the Magistrate shall immediately serve a notice on the person resisting or obstructing calling upon him to desist from offering such resistance of obstruction and on the failure on the part or such person to so desist within the time specified in the notice the Magistrate shall hold such summary inquiry as he deems fit.(3)If after such enquiry the Magistrate is satisfied that the obstruction or resistance was without any just cause he shall comply with the requisition and take or cause to be taken such steps and use or cause to be used such force as in his opinion may be reasonably necessary and in doing so if the Magistrate apprehends any breach of peace he may take or cause to be taken such police aid as may be necessary for the purpose :Provided that in complying with a requisition if any in respect of the Ratna Bhandar the procedure for taking over possession by the Committee as laid down in Rules 5 and 6 shall so far as may be followed.

Schedule

Form of requisition[See Rule 15]ToWhereas the Shri Jagannath Temple Managing Committee has been resisted/obstructed in obtaining possession of the properties described below, which is situated within your jurisdiction, you are, therefore requested to deliver possession of the same of the Committee-(1)Description of property(2)Name of the person/persons causing resistance/obstruction(3)Nature of resistance/obstructionAdministrator