

# **Tamil Nadu Hindu Religious and Charitable Endowments (Special Provisions) Act, 1996**

TAMILNADU

India

## **Tamil Nadu Hindu Religious and Charitable Endowments (Special Provisions) Act, 1996**

### **Act 23 of 1996**

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Tamil Nadu Hindu Religious and Charitable Endowments (Special Provisions) Act, 1996(Tamil Nadu Act 23 of 1996)Received the assented by the President on the 24th August, 1996.Whereas under the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), the Temple Administration District Committees and the Temple Administration Board have been empowered to appoint non-hereditary trustees in respect of religious institutions;And, Whereas, in exercise of the said powers, the Temple Administration District Committees and the Temple Administration Board have appointed non-hereditary trustees to the religious institutions;And Whereas, discontent has been voiced on a large scale by the general public in the matter of appointment of trustees and their functioning;And whereas, in views of the general feeling of the public and in public interest, and for the proper maintenance and administration of the religious institutions, it is considered necessary to remove the non-hereditary trustees so appointed and fill up the vacancies;Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-seventh year of the Republic of India as follows:-

### **1. Short title and commencement.**

(1)This Act may be called the Tamil Nadu Hindu Religious and Charitable Endowments (Special Provisions) Act, 1996.(2)It shall be deemed to have come into force on the 26th day of June 1996.

### **2. Non-hereditary trustees to cease to hold office.**

(1)Notwithstanding anything contained in the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959) (hereinafter referred to in this Act as the 1959 Act), every non-hereditary trustee of every religious institution appointed under any of the provisions of the 1959 Act and holding office as such on the 26th day of June 1996 shall cease to

hold such office on such date.(2)On and from the 26th day of June 1996, the functions of the Board of Trustees or of the trustee, as the case may be, of any religious institutions shall, until the vacancy is filled up in accordance with the provisions of the 1959 Act, be performed-(a)by the hereditary trustee or trustees, if any, of such institution, and(b)if there is no hereditary trustee of such institution, by the executive officer or if the Government so direct, by a fit person, who shall be an officer of the Hindu Religious and Charitable Endowments Administration Department, not below the rank of Inspector, appointed by the Commissioner or by any officer not below the rank of Assistant Commissioner, authorised by the Commissioner in this behalf.(3)Notwithstanding anything contained in the 1959 Act,-(a)any non-hereditary trustee who ceases to be such non-hereditary trustee under sub-section (1) shall handover, within a period of ten days from the 26th day of June 1996, or within such further time as may be granted by the Commissioner, any records, accounts and properties of the religious institutions, which are in, or have come into, his possession or control, to the hereditary trustee, executive officer or the fit person, as the case may be, referred to in sub-section (2);(b)if any such non-hereditary trustee fails to comply with the provisions of clause (a), he shall, on conviction by a Metropolitan Magistrate or a Judicial Magistrate of the first class, be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees or with both;(c)the Magistrate referred to in clause (b), may, pending the conclusion of the trial, appoint a Receiver to take possession of the records, accounts and properties of the religious institution from such non-hereditary trustee and the remuneration, if any, paid to the Receiver and other expenses incurred by him shall be paid out of the income of the religious institution concerned.

### **3. Filling up of vacancies of the office of non-hereditary trustees.**

- Notwithstanding anything contained in section 63 of the Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Act, 1991 (Tamil Nadu Act 46 of 1991), any existing vacancy and every vacancy occurring in the office of non-hereditary trustees under section 2, shall be filled up in accordance with the provisions of the 1959 Act within a period of one year from the 26th day of June 1996 or within such further period not exceeding six months as the State Government may, by notification, specify in this behalf.

### **4. Repeals.**

(1)The Tamil Nadu Hindu Religious and Charitable Endowments (Special Provisions) Ordinance, 1996 (Tamil Nadu Ordinance 3 of 1996) is hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Hindu Religious and Charitable Endowments (Special Provisions) Ordinance, 1996 (Tamil Nadu Ordinance 3 of 1996) shall be deemed to have been done or taken under this Act.NotificationsNomination of certain persons as non-official members of the advisory committee under the Tamil Nadu Hindu Religious and Charitable Endowments Act[(G. O. Ms. No. 279, Tamil Development-Culture and Religious Endowments (RE4-2), dated the 19th September 2006)] [Published in Part II-Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 19th September 2006.]No.

II(2)/TDCRE/486(g)/2006. - In exercise of the powers conferred under sub-section (1) of section 7 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of

1959), the Governor of Tamil Nadu hereby nominates the following persons as non-official members of the Advisory Committee:-Non-Official Members

1	Thiru Kundrakudi Athena Karthar, ThavathiruPon-nambala Adigalar	Kundrakudi
2	Thiruppananthal Madadhipathy, ThavathiruMuthu-kumaraswamy Thambiran	Thiruppananthal
3	Thiru Thiruvavaduthurai AthenaKarthar,Thavathiru Sivaprakasa Pandara Sannathi	Thiruvavaduthurai
4	Shrimath Andavan Swamygal	Srirangam
5	Thiru Santhalinga Ramaswamy Adigal	Perur
6	Thirumathi Soundaram Kailasam	Chennai
7	Thirumathi A.S. Ponnammal	Ex-MLA
8	Thiru Karumuthu-Kannan	Madurai
9	Thiru S.V Balasubramaniam	Bannariamman Sugar Mills Ltd.