

Installation, Safeguarding and Accounting of Hundials Rules, 1975

TAMILNADU

India

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Rule

INSTALLATION-SAFEGUARDING-AND-ACCOUNTING-OF-HUNDIALS- of 1975

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Installation, Safeguarding and Accounting of Hundials Rules, 1975Published vide Notification No. G.O. Ms. No. 1231, C. T. & R. E., dated 21st October 1975G.O. Ms. No. 1231, C. T. & R. E., dated 21st October 1975. - In exercise of the powers conferred under clause (xxvii) of sub-section (2) of section 116 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), the Governor of Tamil Nadu hereby makes the following Rules, namely:-

1. Short title.

(1)These Rules may be called the Installation, Safeguarding and Accounting of Hundials Rules, 1975.(2)These Rules shall apply to every hundial and other receptacle either permanently embedded in the religious institution or temporarily used during the festivals and other occasions.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Appropriate Authority" means -

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| (i) | in relation to Religious Institutions whose assessable annual income is less than rupees ten thousand. | The Assistant Commissioner; |
| (ii) | in relation to Religious Institutions whose assessable annual income exceeds Rs. 10,000 but does not exceed Rs. 10 lakhs. | The Joint/Deputy Commissioner; |
| (iii) | in all other cases | The Commissioner. |

(b)"Executive Authority" means the Chairman, Board of Trustees, or a Trustee including the hereditary trustee and the Executive Officer appointed to the Religious Institution.

3. Permanent.

(1)Every permanent hundial or receptacle shall be embedded in the floor properly secured by masonry construction and shall be located at such place as may be approved by the appropriate authority and serially numbered.(2)Every permanent hundial or receptacle shall be kept under double lock with locks of at least two different patterns.(3)The keys of one lock shall be with the Executive Officer if he has been appointed and the keys of the other lock shall be with the Chairman, Board of Trustees or if there is no Chairman with any one of the Trustees including the hereditary trustee as appointed by the appropriate authority.(4)When there is no Executive Officer, the keys of one lock shall be with the Chairman, Board of Trustees and the keys of the other lock shall be with any one of the trustees (hereditary or non-hereditary) approved by the appropriate authority. If there is no Chairman, but more than one trustee, the keys of each lock shall be with two different trustees (hereditary or non-hereditary) as may be approved by the appropriate authority.(5)If there is only one trustee and if there is no Executive Officer, the key of one lock shall be with the trustee (hereditary or non-hereditary) and the keys of the other lock shall be deposited in the office of the appropriate authority.(6)Every permanent hundial or receptacle shall be opened once in a month where the monthly collection from the hundials and receptacle is Rs. 5,000 (Rupees five thousand only) and more and in other cases as often as may be necessary. The hundials shall be opened and the cash or other valuables in them shall be counted or accounted in the presence of an officer of the department deputed by the appropriate authority. Notice of the proposal to open the hundials shall be given to the appropriate authority at least two weeks before the date of opening. The hundials shall, after the opening of each lock, be locked in the presence of the Chairman, Board of Trustees or other trustees including the hereditary trustee, as the case may be, the Executive Officer and the officer of the department authorised by the appropriate authority and sealed with the departmental seal by the said officer.

4. Temporary hundial.

- Every temporary hundial or receptacle installed for festivals or other occasion shall be sealed by the inspector or other officer deputed by the appropriate authority before they are actually installed and the keys of the same shall be put in a bag and the bag sealed with the departmental seal and handed over to the concerned Executive Authorities of the religious institutions. The bag shall be opened in the presence of those present at the time of opening of hundials or receptacles by the officer of the department authorised by the appropriate authority. The provisions of rule 3(6) in so far as they relate to the opening and counting of permanent hundials and receptacles and their closures and sealing shall apply to the temporary hundials referred to in this rule. The temporary hundials shall be serially numbered and a record of the same kept in the religious institutions.

5. Maintenance of register.

- The contents of all the hundials and other receptacles shall be recorded in the Hundial Assortment Register and signed by the concerned Executive Authorities and the Officer of the Department authorised in this behalf, besides members of the public, if any, present. At least two members of the public present shall sign in the Hundial Assortment Register. The proceeds of the hundials and other receptacles shall be immediately credited to the accounts of the institution and remitted into the Bank. In respect of big temples, due publicity should be given to the public regarding the date of counting. Explanation I. - "Big temple" means a religious institution whose hundial receipt exceeds Rs. 50,000 (Rupees fifty thousand only) per annum. Explanation II. - "Due publicity" means announcement of the date of opening of hundials by publishing a notice on the notice board of the Devasthanam, the interval between the date of such publication and the date of opening and counting the hundial being not more than 7 days and not less than 3 days. (G. O. Ms. No. 775 C.T. & R.E., dated 6th July 1982)

6. Arrangements for sealing of hundials.

- On and from the date of coming into force of these Rules, the appropriate authority shall take steps to have the hundial and other receptacles in the institutions which have not so far sealed, affixed with the seal of the department by an officer of the department and the executive authority of every such institution all officers and servants working under him or any other person concerned, shall afford such assistance and facilities as may be necessary or reasonably required in regard to the sealing of the hundials.

6A. Power to direct installation of hundials.

- It shall be lawful for the appropriate authority to direct the Executive Officer or other executive authority of religious institutions to install a hundial or hundials where there is none or to install additional hundial or hundials where there is already one or more hundials.

7. Installation of hundials for specific purposes.

- Hundials for specific purposes such as Thiruppani, etc., shall be installed only after getting the approval of appropriate authority and with the concurrence of the Trust Board and the rules applicable to the other hundials or receptacles installed will apply to these hundials also.

8. Prevention from theft, fire, etc.

- All preventive steps shall be taken by the executive authority to safeguard the hundials from theft, fire, etc.

9. Arrangement for opening of hundials in cases of emergencies.

- In case of an emergency like fire, accident, attempted theft or non co-operation between the executive authority and in other similar cases, the appropriate authority may use his discretion in the matter of opening and crediting the proceeds thereof in the bank account in the name of the temple, closing the seal of the hundials and report the fact to the Commissioner for approval.